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THE

CHES

SPEECHES

OF

THE RIGHT HONOURABLE

CHARLES JAMES FOX.

VOL. V.

Strahan and Preston,
Printers-Street, London.

THE

SPEECHES

OF

THE RIGHT HONOURABLE

CHARLES JAMES FOX,

IN THE

HOUSE OF COMMONS.

27049

IN SIX VOLUMES.

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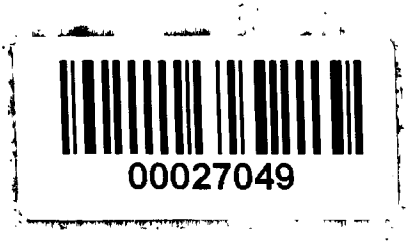

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SPEECHES

OF THE

RIGHT HONOURABLE

CHARLES JAMES FOX,

&c. &c.

ALIEN BILL.

December 28. 1792.

ON the second reading of the bill "for establishing regulations respecting aliens arriving in this kingdom, or resident therein in certain cases," Mr. Secretary Dundas stated the objects of it. All foreigners arriving in the kingdom were to explain their reasons for coming into this country, to give up all arms, except those commonly used for defence or dress. In their several removals through the country they were to use passports, by which their actual residence or occasional movements might be manifest, and their conduct easily observed. Those who received eleemosynary support were to be distributed in districts where they would be more liable to the vigilance of the civil power. Particular attention was to be paid to foreigners who had visited this kingdom within the present year, who should hereafter come without obvious reasons, and be thus more obnoxious to prudent suspicion. — Sir Gilbert Elliot supported the bill, and alluded to the difference of opinion between him and some honourable friends whom he highly respected and esteemed. This difference of opinion, he trusted, however, would not affect their private friendship, which, he hoped, would remain unaltered. This sentiment he was the more particularly led to express, as he had received distinguished marks of friendship from one right honourable gentleman (Mr. Fox), with whom he was now compelled to express his difference in opinion. On this occasion he felt himself prompted by duty to declare, that since the close of last session he had felt much regret from what had been said by that right honourable gentleman. The views which he entertained of the present situation of affairs were not only widely different from his own, but the means which he proposed to be pursued for the public welfare were such as appeared to him to be even of an opposite tendency.

Mr. Fox said, that in whatever political difference of opinion he felt himself with reference to his friends, he would venture to say, that in all discussions of such opinions he had never suffered the political difference to interfere with his private friendships; yet he did feel some reason to complain, that all the private friendship and esteem professed for him by the honourable baronet should not have induced the honourable baronet to state to him such political difference of opinion as he now said had existed so long, and that this should be the first occasion he had to suspect the least difference of opinion between the honourable baronet and himself. The honourable baronet said, that so long ago as the last session of parliament he had reason to differ in opinion from him, and now declared a general disapprobation of his political conduct. Till now he had never understood that there was, among those with whom he had been accustomed to act, a general difference of opinion from him, and a disposition to support the present administration. He would call no man to account for his conduct; but he would say, that they had given him the most distinct assurances that there was nothing which made them more unwilling than they were formerly, that they had expressed no disinclination, to follow the same plan they had before adopted. He had, indeed, on the first day of the present session, seen gentlemen go out into the lobby whom he could have wished to have staid in the House; he had heard an honourable friend of his (Mr. Windham) speak with that powerful eloquence which always distinguished him against what appeared to him to be the right and just course of proceeding, and he had heard him with pain; but he saw no such difference of opinion as made it impossible for those gentlemen, or his honourable friend, to preserve that connection in which they had so long acted.

With respect to himself, all he could say was, that he was as much devoted to that connection as any gentleman in that House; as any man of honourable and independent feelings could be. He said also, it was the pride of his heart to think, that the union and exertions of that connection had kept alive every thing that deserved the name of the spirit of liberty in that country. He wished not to call to mind particular expressions; but he could not but recollect, that the difference between those with whom he had acted and the present ministry, was formerly called fundamental and irreconcileable; and he did believe that this sentiment still pervaded the majority of them. Whether his opinion was or was not consonant with the opinion of that majority he did not know; but this he knew, that the cause of his country would not suffer him to say he could support an administration which stood upon

grounds not warranted by the constitution. He had heard, in this and other places, that the present administration ought to be systematically supported at all events in the present situation of affairs. He blamed not those who said so; but, with regard to himself and those who entertained that opinion, union and co-operation were at an end. He had not heard the honourable baronet say so much; for he was sure, that if the honourable baronet had done so, he could not have added that he concurred in sentiment with the illustrious characters to whom he had alluded. The honourable baronet had alluded to a noble person (the Duke of Portland) so much esteemed by him, that he could not express what he felt in speaking of him; a nobleman with whom he had lived sixteen or seventeen years on terms of friendship, and for ten of those seventeen had been in habits of the greatest intimacy and affection; and he would venture to say that he esteemed him at least as much as the honourable baronet. He could not bring himself to believe that that nobleman entertained the opinion professed by the honourable baronet; for he had heard that that nobleman, in giving his support to the present bill, had expressly declared that he could not forget the manner in which the present administration came into power, and that great part of the difficulties in which the country was now involved was owing to their misconduct. He therefore believed that no essential difference existed between that noble person and himself.

If differences did arise from doubts that were entertained, he asked only for a fair discussion, that it might be distinctly known wherein it was they differed. He firmly believed, that on all the principles of liberty, they not only agreed in motives but in actions; that they agreed in every thing except the bill. He disapproved of this bill, and they approved, which was all the difference of which he knew. But as to other differences, (and he was conscious of no other,) that subject must be farther discussed, and better understood between them. He had long acted, and he wished to continue to act with characters whom he esteemed and loved; but if he should be driven, which God forbid! to the situation of acting without, or even against those characters, he hoped and trusted he should have sense enough to discern his duty, and fortitude to perform it. Painful as such a separation would be to him, and requiring his utmost fortitude to bear, he must then consider whether he should act alone, or not act at all. He trusted, however, he should act according to his own sense of duty, if he was compelled to do the one or the other. If, on the other hand, the difference on the present bill should be the only material difference between them, they might still act

in conjunction, as they had formerly done, and he hoped that all attempts to magnify accidental differences, while they agreed on one general principle, would fail of their effect. There were other persons from whom he expected an entire difference on certain questions, and he had not been deceived. The right honourable gentleman (Mr. Burke) who had condemned his former friends to banishment in Sinope, it might have been expected, considering the desolateness and sterility of the land, would have paused, would have thought that a sufficient punishment; but he had not done so. All that he could say was, that nothing should be wanting on his part, nothing of yielding or complying, nothing conciliating or friendly, no submission that friendship and old habits of intimacy could suggest, that he should not be ready to enter into, if, in his opinion, it could operate for the public good. Upon the present bill, as nothing had been alleged that could justify the principle, which he had no hope of opposing with success, and as it contained many provisions that could be better debated in a committee than in any other stage, he should reserve what he had to say until it came to that stage.

Mr. Burke answered Mr. Fox in a very spirited but desultory speech, in the course of which, to enforce his account of the three thousand daggers manufactured at Birmingham, he threw down one of them on the floor of the House, and bid them look to it as a sample of the fruits to be obtained by an alliance with France. At the same time he exclaimed with great vehemence, that he would, to the utmost of his power, keep French infection from our country, their principles from our minds, and their daggers from our hearts.

December 31.

On the motion for going into a committee on the bill, the Marquis of Titchfield said, he agreed that the circumstances of the country were in the highest degree critical; and, in such circumstances, those who were as little inclined to think well of the present administration as himself, might be disposed to adopt such a conduct in some instances, as at other times they would not be inclined to pursue. His political sentiments and attachments remained the same that they had ever been. His opinion of the gentlemen who composed the present administration, was in no respect altered: but he felt the dangers which surrounded us, and the necessity, in that case, of giving to government such support as might enable it to act with effect; a support, therefore, directed to that effect, and governed by those circumstances, was that which he meant distinctly to give them.

Mr. Fox said, that he should trouble the House but with a very few words. What he chiefly had to observe was on what had fallen from the noble marquis in the course of this debate. He thought it rather unnecessary to take much notice of what had been expressed on the feelings of others on a former day. The whole subject had been explained by the noble marquis with so much propriety, dignity, and perspicuity, that he could not entertain a doubt as to his principles and sentiments. He had so properly come forward to state his opinion as a member of that House, that no doubt could now remain; all that he had to say on that subject was, that he concurred entirely with the noble marquis in every thing he had said, except his approbation of the present bill. There might be some explanation upon that subject in the committee; he therefore only said, that the committee might, perhaps, be the proper stage for him to deliver his sentiments upon the subject. At present, he must confess, he was not ready to give his assent to the bill. He was not surprised that there was a difference of opinion between the noble marquis and himself upon the bill. They had formed different opinions on the state of the country: the noble marquis had thought the country in danger, and therefore very properly thought that the executive power should be strengthened, and voted for the bill. He, on the contrary, was not aware of such danger, and saw no necessity for the bill; and therefore, when the case was thus explained, it was not surprising that they differed in opinion.—The bill now before the House must, he apprehended, be discussed on two grounds. The first was, whether any danger did exist in this country? If that was determined in the negative, there would be an end of the bill; if in the affirmative, then, secondly, whether the present bill contained the proper remedy for such danger? The present was not a question of general support of administration, as had been erroneously stated: it was, whether any thing was necessary in the present case; and if any thing was necessary, whether the present bill was adapted to the end proposed? He was ready to say, that if the circumstances of the times were such as ministers described them to be, it would be necessary for him to support government; and he would support government if there was really danger in this country. He was always ready to support government when he thought it wanted support. As a proof of this, he had given his vote for the augmentation both of the army and navy this year. He had done so because he believed this country to be threatened with external danger. But he did not believe there was any internal danger, and therefore it was that he opposed the present bill. If ministers would prove the in-

ternal danger to exist, he should consider himself bound to vote for it.

January 4. 1793.

On the order of the day for taking into consideration the report of the committee on the alien bill, a debate of considerable length took place. The bill was opposed by Mr. M. A. Taylor, the Earl of Wycombe, Major Maitland, Mr. Grey, and Mr. Fox; and supported by Lord Fielding, Lord Beauchamp, Mr. Hardinge, Mr. Jenkinson, Lord Mulgrave, Mr. Windham, Mr. T. Grenville, Mr. Mitford, and Mr. Pitt.

Mr. Fox said, that the immediate question before the House had been discussed in a manner so general, and so many extraneous topics had been introduced, that he must depart from the mode in which he had meant to treat it. He would begin with the state of the country, and examine what degree of danger existed when parliament met, and what degree of danger existed now. His opinion on the first day of the session, (and he hoped he should not be misunderstood, or what he said misinterpreted now, as had been the case then,) was, that no danger existed to justify the measure of calling out the militia and assembling parliament, and in the manner in which this was done. His honourable friend (Mr. Windham) had said, that the dangers alleged in the proclamation were not to be judged of in detail; that they would make no figure mentioned individually, but were to be estimated by the impression made upon every man's mind, by the whole taken together. That they were not to be detailed he was ready to admit, for, "dolus versatur in generalibus," they would not bear detailing; if they were to be mentioned individually, they would appear so many insignificant circumstances as to excite ridicule instead of alarm, and therefore his honourable friend did right in begging that they might be so mentioned. The danger, whatever might be its degree, had two sources: first, the fear of the propagation of French opinions in this country; and, next, the fear of the progress of the French arms. These might for one purpose be taken conjointly, but he intreated that they might be first considered distinctly, for he saw them in very different points of view. The propagation of French opinions in this country was, in his opinion, so very small, so very much confined, as to afford no serious cause of alarm to any mind of rational constancy. It had been said, that the proclamation at the close of the last session of parliament had checked the growth of the evil; but this was a mere *gratis*

dictum, for those who said so were not able to adduce juridical, for that was not required of them, but prudential proof that it had ever existed. What, then, was the alarm? Those who thought they had cause for alarm in May, might naturally think that they had still greater cause; that those who entertained those obnoxious opinions would disseminate them with greater confidence, would act on them with greater boldness, when the French arms prospered. For those parts of the country in which he had not resided he did not pretend to answer; but, in this town at least, and, as he had every reason to believe, in all other parts of the kingdom, these French opinions had not been adopted to any degree that could be called alarming. His honourable friend had said, let them compare the phenomena with the theory, and they could not fail to be convinced of the danger. His honourable friend's mind, he rather believed, was so full of the theory, that he could not help inferring the phenomena, instead of raising the theory from well ascertained phenomena. For his part, he had always said, that whatever progress the doctrines of France might make in other countries, they would make but little here, where rational liberty was enjoyed and understood. He founded his hopes of this on his own opinion of the constitution, and the attachment of the people to it; and the event had justified his hopes, instead of the fears of some other persons. If real danger had existed, if those from whom it was apprehended had been proceeding to action, if they had been rising in arms, if they had been going to take possession of the Tower, (suppositions which now no man believed,) then, indeed, calling out the militia would have been a wise and a necessary measure. But, if no such act was impending, to what purpose was a military force prepared? To repel opinions? Opinions were never yet driven out of a country by pikes, and swords, and guns. Against them the militia was no defence. How, then, were they to be met if they existed? By contempt, if they were absurd; by argument, if specious; by prosecutions, if they were seditious; although that certainly was not a mode which he would recommend, but it was a mode which ministers had before resorted to, and which they had still in their power. If, indeed, any danger did exist, it was not to be repelled by calling out the militia, and, under the pretence of waging war with obnoxious political principles, bringing bodies of them nearer and nearer to the metropolis. If, then, no act, founded on these opinions, was believed to be committed or intended, they who voted against the address on the first day of the session were right; for no good ground had been laid for the measures which they were called upon to

approve. Could not ministers have prosecuted Paine without an army? Was any apprehension stated that the trial would not be suffered to go on in the usual course? He had been asked by a learned gentleman, whether or not a book with an evil tendency was to be declared innocent, because not coupled with any act, and without proof of extrinsic circumstances? His answer was, certainly not, but the evil tendency must be proved. Sometimes the evil tendency might be evident from the book itself; sometimes it might not, without being coupled with extrinsic circumstances; and where this was the case, the extrinsic circumstances must be proved to the satisfaction of the jury before they were warranted in pronouncing guilty. This was his opinion; and this, he thought, had been so sufficiently understood by both sides of the House in the debates on the libel bill, as to prevent any misrepresentation. The alarm, then, on the propagation of opinions could not justify the remedy which ministers had adopted, especially when it was coupled with a false assertion of insurrections, and, therefore, if it did not create, it certainly augmented, the alarm — he meant not in the mind of his honourable friend; he had been full of alarm for several months — an alarm that had taken such complete possession of his ardent imagination, that he could attend to nothing else, and he feared it would be several months more before he could be set right upon this subject. Another ground of alarm was the progress of the French arms. They who represented him as indifferent to that progress, did him great injustice. He was by no means so. He thought the same national spirit that, under Louis XIV., had threatened the liberties of all Europe, might influence, and actually had influenced, the conduct of the French at present; and he might perhaps think that this national spirit was more likely to collect and act now than at the time to which he alluded. He had even said that this country ought to have interfered at an earlier period. He differed from a noble lord (Wycombe) who had spoken so ably, and with so much propriety, that he was sorry he could not concur in all the noble lord had said on two material points. He was clearly of opinion that the navigation of the Scheldt, if not guaranteed to the Dutch by the letter of the treaty of 1788, was virtually guaranteed to them by that treaty, and, if they insisted upon it, would assuredly be a good *casus fœderis*. He differed also from the noble lord in thinking, that however much he might disapprove of any treaty at the time it was negociating, when concluded, it was as religiously to be adhered to by those who disapproved of it as by those who made it. But in all these cases both the contracting parties were to be con-

sidered, the principal and the ally, and they were not to go to war, even in support of the treaty, without a mutual regard to the joint interests of both. In the present case, he thought it probable that, considering the risk to be run, and the doubtful advantage of the monopoly of the Scheldt, Holland might prefer giving it up, to the danger and expence of a war. If so, surely we were not to force the Dutch into a war against their own sense of their own interest, because we were their ally. The decree of the French convention of instruction to their generals he should also consider as a declaration of hostility, if not repealed or explained to our satisfaction; always understanding that this satisfaction was to be demanded in the proper way. He, therefore, saw causes of external danger, and might perhaps think that it was in a great measure owing to the neglect of ministers; but when he saw the armies and the fleets of France, and recollected that we had no public means of communication by which any differences that had arisen, or might arise, could be explained, the danger appeared great and imminent indeed. When he considered the various relations in which we stood with respect to France, and the numerous points on which the two countries might interfere, the circumstance alone of having no public communication would in itself be a great cause of peril. For this reason, he had voted for an army and a navy, not for any of the eccentric reasons given by his honourable friend, (Mr. Windham,) that he would support ministers because he thought them unfit for their situations; but because he never knew a minister so bad, that he would not trust him with a fleet and army rather than expose the country to danger.

Having thus pointed out the internal and external danger, he would ask, how the measures that had been adopted were the proper remedy? If considered distinctly, either the measure or the mode did not apply. If connected, the remedy for the one was no remedy for the other. If France threatened to invade Holland, or refused an explanation of the offensive decree, calling out the militia would be right; but for crushing objectionable opinions or doctrines assuredly not. He knew not how to fight an opinion, nor did history furnish him with instruction. The opinions of Luther and of Calvin had been combated by arms; there was no want of war, no want of blood, no want of confederacies of princes, to extirpate them. But were they extirpated? No; they had spread and flourished through bloodshed and persecution. The comparison of these with opinions of another description might seem invidious; but it was so only if they were attacked by reason, not if attacked by war. By force and power, no

opinion, good or bad, had ever been subdued. But then, it was said, if we went to war, one of the weapons of the French would be, instilling their opinions into the minds of our people. If it was, he trusted it would fail. But would a danger so much dreaded in peace be less in time of war? War, it was to be hoped, would be successful; but were we such children as to forget, that in war the sway of fortune was great, and that the burden of certain taxes, disgust at ill success, and indignation at misconduct, would dispose the minds of men to receive doctrines and impressions unfavourable to the constitution? Even all this he hoped they would resist; but it would be putting them to a severer trial than he wished to see.

On these occasions it was not necessary for him to say, that he, who loved the constitution, disapproved of the opinions of those who said that we had no constitution. His love of the constitution was to the constitution on its old form, which had subsisted by constant reformation, and was of such a nature, that if it was not improving, it was in a state of decay. He was happy to find by the resolutions from various parts of the country, that, in his opinion, he was not singular. Like every human production, the constitution was not perfect, and if it were, it would not long continue so, unless the practice of it was carefully watched, and if that spirit of vigilance on the part of the people, which was its best security, were lulled to sleep. Melancholy, therefore, as the present prospect was, he saw more danger than ever from that prospect, from pushing the present alarm too far, and making the people see the picture all on one side — the dangers of anarchy only, while they were inattentive to the abuses and encroachments of the executive power on the other. If the bill was intended to guard us against internal danger, while we were at war with France, we knew that in 1715 and 1745 the French had not been sparing of attempts to sow dissentions and excite rebellion in the country; and yet we had, by the commercial treaty, provided for the protection of the aliens of both countries, even after an actual declaration of war. Did it guard against the introduction of opinions? No. We had not yet come to the measure of prohibiting all French books and papers, which Spain had adopted about a year ago; nor was the policy or the wisdom of it so much applauded as to induce us to follow the example. But these opinions were propagated by conversation! What, then, did a Frenchman, when he landed, find an audience to understand the terms of his philosophy, and immediately open a sort of Tusculan disputation? Were they disseminated in clubs and convivial meetings, where

men were disposed to approve rather of what was animated than what was proper? The very idea of a Frenchman getting up to harangue in his broken English, at such a meeting, was too ridiculous to be mentioned. If they were propagated at all, it must be by English agents, and these, if any such there were, which he did not much believe, would remain in the kingdom if every foreigner were sent out of it.

The preamble of the bill was a complete delusion; for it stated the extraordinary resort of aliens to this country, as the pretence of the bill, while every body knew that extraordinary resort to be occasioned by circumstances that had no connection with it. At the time of the revocation of the edict of Nantes, when so many Frenchmen came over to this country, would such conduct have been adopted? If it had been, it would have deprived us of some of the best commercial advantages that we enjoy at the present day. The spirit of the bill was kept up in the mode of the defence; for it was said by one gentleman, that 400 aliens had *marched* into London in one day, while another gentleman (Mr. Burke) said he had examined these aliens, and found that they were not dangerous. Surely, where that right honourable gentleman saw no danger, every body else might be perfectly at ease! Were an office to be instituted for the purpose of examining the opinions of individuals, and how they stood affected to the constitution of the country, no person could be better qualified than the right honourable gentleman to conduct the enquiry. Those who should stand this test, and meet with his approbation, might be reckoned sound indeed. With respect to the emigrants, among whom it was meant to make a distinction by the bill, he would protect those who had fallen a sacrifice to their opinions in favour of the old government of France; not because he approved of their principles, but because he respected their misfortunes. With respect to those who suffered for their attachment to the new constitution, he had heard it said by a person of high rank, that if La Fayette were here, he ought to be sent out of the country. Was this to be endured? Was it fit to vest any ministers with such a power, merely in the hope that they would not abuse it? The third description, those who had fled for fear of punishment, for being concerned in the detestable massacre of the 2d of September, all men would wish to see removed; but this was a sufficient ground for a particular law. The horrors of that day ought not to be mentioned as the act of the French government, or the French people, for both disclaimed it; but to disclaim was not enough. That the crime was not prevented or followed up by striking exam-

ples of punishment, would be an indelible disgrace to Paris and to France. But, were we to go to war on account of these inhuman murders? No war could be rational that had not some object, which being obtained, made way for peace. We were not, he trusted, going to war for the restoration of the old French government, nor for the extermination of the French people. What, then, had the horrors committed in France to do with the reasons of war? But they had to do with the passions of men, and were held out to blind their judgment by exciting their indignation. That we might have a rational and intelligible account of the object for which we were going to war, he had made the propositions on which the House had already decided: and notwithstanding their ill success, he should not desist till such an account was obtained. The prerogative of the crown to send foreigners out of the kingdom, said to be left untouched by the bill, ought not to remain in doubt. The single instance produced from the reign of Henry the Fourth was counterbalanced by another in the same reign, when the king did the same thing by the authority of parliament which he had done before by his own power. He believed that the prerogative did not exist, and if it did, that it was too dangerous to be suffered to remain. If, on the other hand, it was a prerogative for the good of the people — if, indeed, the word "people" was not expunged from our political dictionary — the good of the people being the only foundation that he knew for any prerogative, it was fit that it should be clearly defined and understood, either by an enacting or a declaratory law.

In answer to Lord Mulgrave, Mr. Fox paid a handsome compliment to his learned friend Mr. Erskine, to whose abilities and perseverance it was owing, that the verdict of a jury could now be had on the guilt or innocence of any writing charged as libellous. He said, that his learned friend would have been guilty of a breach of honour in his profession if he had shrunk from the defence of Mr. Paine, or shewed that any man prosecuted in this country could be deprived of the advantage of counsel, where counsel was allowed by law.

To the charge of inconsistency in having signed the declaration of a society against seditious writings, while he thought such societies illegal, he said he did not understand the declaration as meaning to prosecute any writings by subscription; he had by what he said at the meeting expressly guarded himself in this particular, and was told that the money subscribed was not for any such purpose, but to pay for papers and advertisements. If he had misunderstood the one, or been misinformed in the other, he would withdraw his name. He

had signed a declaration of attachment to the constitution, because he thought it of importance at the present moment to let foreigners, and especially the French, see that men of all descriptions were firmly attached to it; that they had been grossly deceived by the addresses from this country, which told them that their doctrines were very generally adopted here; that they had been deceived by the minister's proclamations, stating that there was great danger from their doctrines; that they had been deceived by the alarms expressed by some of his own friends. This he had done, and every thing consistent with honour he would still do to prevent a war with France; more especially a war on false hopes, on one part, and false grounds on the other.

On the subject of party-connections it was seldom proper—at all times difficult—to speak, and he was not called upon to do it. He would only just shew his honourable friend a few of the consequences arising from the doctrine he had laid down. His honourable friend would oppose a ministry where he had hopes of turning them out, and seeing his friends get into their places; but when those hopes were at an end he would join them. Many of those who had formerly opposed ministers had done so; more would follow their example; but they had never dreamt that they should have so good a defence for their conduct as the system of his honourable friend—a doctrine much more convenient for others than he was sure it would be for himself. Did his honourable friend see the consequences of this doctrine? Could he, upon reflection, reconcile it with his high notions of honour? Was it a fit lesson to teach ministers, that, if by their misconduct the public safety was brought into danger, then they should have the support of those who had before opposed them? Was it proper thus to hold out a reward to misconduct? Would it curb the inordinate and selfish ambition of men in power to say, that if he thought them so good as to resign their places rather than their country should suffer, he would oppose them; but if he thought them so bad as to sacrifice their country to their own love of peace, he should feel himself bound not only to withdraw his opposition, but to join them? Thus his honourable friend held out a premium to a wicked and pernicious ambition, and, in fact, said to ministers, In order to retain your places, and ensure our support to your power, you have only to bring the country to the brink of ruin. If his honourable friend did join ministers, they would not have much reason to be proud; for, on his own principle, in proportion to the support he gave them, would be his bad opinion of those to whom he went, and his good opinion of those whom he had left. Mr. Fox concluded with moving,

"That the farther consideration of the bill be postponed to that day three weeks," in order, he said, to give time for enquiry into the gounds of the necessity alleged for adopting it.

Mr. Fox's motion was negatived without a division. After which the bill was read a third time and passed.

Address on the King's Message for an Augmentation of the Forces.

February 1.

On the 24th of January, 1793, intelligence arrived in London of the melancholy catastrophe of Louis the XVIth; and on the 28th, Mr. Secretary Dundas presented the following message from his majesty:

"George R.

"His majesty has given directions for laying before the House of Commons copies of several papers which have been received from Mr. Chauvelin, late minister plenipotentiary from the most christian king, by his majesty's secretary of state for foreign affairs, and of the answers returned thereto; and likewise copy of an order made by his majesty in council, and transmitted by his majesty's commands to the said Mr. Chauvelin, in consequence of the accounts of the atrocious act recently perpetrated at Paris.—In the present situation of affairs his majesty thinks it indispensably necessary to make a further augmentation of his forces by sea and land; and relies on the known affection and zeal of the House of Commons to enable his majesty to take the most effectual measures, in the present important conjuncture, for maintaining the security and rights of his own dominions; for supporting his allies; and for opposing views of aggrandizement and ambition on the part of France, which would be at all times dangerous to the general interests of Europe, but are peculiarly so, when connected with the propagation of principles which lead to the violation of the most sacred duties, and are utterly subversive of the peace and order of all civil society."

The message was taken into consideration on the 1st of February, when Mr. Pitt concluded a long and eloquent speech with moving, "That an humble address be presented to his majesty, to return his majesty the thanks of this House for his most gracious message, and for the communication of the papers, which, by his majesty's command, have been laid before us: To offer to his majesty our heartfelt condolence on the atrocious act lately perpetrated at Paris, which must be viewed by every nation in Europe as an outrage on religion, justice, and humanity, and as a striking

and dreadful example of the effect of principles which lead to the violation of the most sacred duties, and are utterly subversive of the peace and order of all civil society: To assure his majesty, that it is impossible for us not to be sensible of the views of aggrandizement and ambition, which, in violation of repeated and solemn professions, have been openly manifested on the part of France, and which are connected with the propagation of principles incompatiable with the existence of all just and regular government: that, under the present circumstances, we consider a vigorous and effectual opposition to these views as essential to the security of every thing which is most dear and valuable to us as a nation, and to the future tranquillity and safety of all other countries: That, impressed with these sentiments, we shall, with the utmost zeal and alacrity, afford his majesty the most effectual assistance to enable his majesty to make a further augmentation of his forces by sea and land, and to act as circumstances may require in the present important conjuncture, for maintaining the security and honour of his crown, for supporting the just rights of his allies, and for preserving to his people the undisturbed enjoyment of the blessings which, under the Divine Providence, they derive from the British constitution."—The address was seconded by Lord Beauchamp. The Earl of Wycombe conceived it to be his indispensable duty to use every argument in his power to prevent a war. The country, he insisted, was in no danger whatever, being equally secured by its insular situation, its internal resources, and the strong attachment of the people to the constitution. As for French principles, he had no idea of going to war against them; and with respect to the cruelties perpetrated in France, he attributed them to the infamous expedition of the Duke of Brunswick, which might be called a fraternity of kings for the purpose of imposing despotism on all Europe.—Mr. Whitbread opposed the address. He prefaced his observations by declaring his abhorrence of the atrocious deed recently committed in France: it would stand, he said, one of the foremost in the black catalogue of crimes which history had to record; it would remain a foul stain upon the national character of the people amongst whom it had been perpetrated. But he denied that the barbarities imputed to France were the necessary consequences of the French revolution, or of republican principles. To the conduct of the powers combined against the liberties of France, to the sanguinary manifestoes of the Duke of Brunswick, might they be, without hesitation, ascribed. These manifestoes bore rather the stamp and character of those Gothic and Scythian invaders, with whom to conquer and destroy were the same, than of the gallant and generous leader of the armies of two enlightened princes of Europe, at the close of the eighteenth century. The spirit of Attila was discernible in them, who describing the manner in which himself made war, in the emphatical words recorded by Mr. Gibbon, had said, "Where Attila's horse sets his foot, the grass never grows." He deprecated a war with France. He denied it was justifiable upon any of the grounds stated in the papers on the table; nor would he allow that ministers had done their utmost to avoid so dreadful a calamity.

Mr. Fox said, that although some words had fallen from the right honourable the chancellor of the exchequer which might lead him to think that war was not absolutely determined upon, yet the general tenor and impression of his speech was such as to convince him that there never was a time when the duty, which he owed, not merely to his immediate constituents, but to the whole people of Great Britain, of whom the members of that House were individually and collectively the virtual representatives, more imperiously called upon him, and upon every man, to speak out and declare his sentiments frankly and fairly. The misrepresentations and misconstructions of what he and those who thought as he did, had already said in the course of the present session, left him no room to doubt, that what he must now say, would be equally, and perhaps as successfully, misrepresented and misconstrued. This only served to shew, that they were on a service of honour as well as danger; but if he were deterred by misrepresentation and calumny from delivering opinions because they might be unpopular, and from deprecating a war with France as an evil to be avoided by every means consistent with the honour and safety of us and our allies, he should basely betray his trust to his constituents and his country.

The right honourable gentleman had introduced the several grounds of dispute with France, ably and eloquently; but the reasons for going to war, he did not mean to say for arming, had not been very accurately treated. The crimes, the murders, and the massacres that had been committed in France, he did not view with less horror, he did not consider as less atrocious than those who made them the perpetual theme of their declamation, although he put them entirely out of the question in the present debate. The condemnation and execution of the king he pronounced to be an act as disgraceful as any that the page of history recorded; and whatever opinions he might at any time have given in private conversation, he had expressed none certainly in that House, on the justice of bringing kings to trial: revenge being unjustifiable, and punishment useless, where it could not operate either by way of prevention or example, he did not view with less detestation the injustice and inhumanity that had been committed towards that unhappy monarch. Not only were the rules of criminal justice, rules that more than any other ought to be strictly observed, violated with respect to him; not only was he tried and condemned, without any existing law to which he was personally amenable, and even contrary to laws that did actually exist; but the degrading circumstances of his imprisonment, the unnecessary and in-

sulting asperity with which he had been treated, the total want of republican magnanimity in the whole transaction, (for even in that House it could be no offence to say, that there might be such a thing as magnanimity in a republic,) added every aggravation to the inhumanity and injustice of those acts.

Now, having said all this as the genuine expression of his feelings and his conviction, he saw neither propriety nor wisdom in that House passing judgment on any act committed in another nation, which had no direct reference to us. The general maxim of policy always was, that the crimes perpetrated in one independent state were not cognizable by another. Need he remind the House of our former conduct in this respect? Had we not treated, had we not formed alliances with Portugal and with Spain, at the very time when those kingdoms were disgraced and polluted by the most shocking and barbarous acts of superstition and cruelty, of racks, torture, and burnings, under the abominable tyranny of the inquisition? Did we ever make these outrages against reason and humanity a pretext for war? Did we ever inquire how the princes with whom we had relative interests either obtained or exercised their power? Why, then, were the enormities of the French in their own country held up as a cause of war? Much of these enormities had been attributed to the attack of the combined powers; but this he neither considered as an excuse, nor would argue on as a palliation. If they dreaded, or had felt an attack, to retaliate on their fellow citizens, however much suspected, was a proceeding which justice disclaimed; and he had flattered himself, that when men were disclaiming old, and professing to adopt new principles, those of persecution and revenge would be the first that they would discard. No man felt greater horror at the proceedings of the combined powers than he did. A combination more dangerous to the tranquillity of Europe and the liberties of mankind had never been formed. It had been said that Austria was not the aggressor in the war with France. Had those, who said so, seen the treaty of Pilnitz? Let them look at that treaty, take the golden rule of supposing themselves in the situation of the French, and, judging of others as they would wish to be judged, say whether or not the French had been the aggressors. But, whatever might be thought of Austria, was the King of Prussia attacked by France? Were his territories menaced, or his allies insulted? Had he not been completely the aggressor, he would have called upon us as his allies for succour: no such call had ever been heard of: a sufficient proof, if any proof were wanting, that he never considered himself but as engaging in an offensive war. What

were the principles of these combined powers? They saw a new form of government establishing in France, and they agreed to invade the kingdom, to mould its government according to their own caprice, or to restore the despotism which the French had overthrown. Was it for the safety of English liberty, (liberty that might still be mentioned without offence,) that if we should make any change in our form of government or constitution, and that change should be disagreeable to foreign powers, they should be considered as having a right to combine, and replace what we had rejected, or give us any thing else in its room by fire and sword?

He would not go over the atrocious manifestoes that preceded or followed the march of the combined armies; there was not a man in the House, or at least but one (Mr. Burke), who would attempt to defend them. But these it seemed were not to be executed — he hoped they were not; but the only security he knew of was, that those who issued them had not the means. What was their conduct? Their mode of raising money was at least as bad as that with which the French were reproached. The French confiscated property where they carried their arms; the Duke of Brunswick took what he wanted, and gave paper for it in the name of the unfortunate monarch whom he pretended to assist. He contracted debts in the name of the French king, which he knew the French king might never have the means or the inclination to pay; and this swindling trick, for which any man in this country would have been convicted and punished, he continued after he had begun his retreat. Yet we stood by and saw all this without alarm; certainly without interference. We perceived no danger in the success of despotism; but the moment the opposite cause became successful, our fears were extreme.

He should now shew, that all the topics to which he had adverted, were introduced into the debate to blind the judgment, by rousing the passions, and were none of them the just grounds of war. These grounds were three: the danger of Holland; the decree of the French convention of November the 19th; and the general danger to Europe from the progress of the French arms. With respect to Holland, the conduct of ministers afforded a fresh proof of their disingenuousness. They could not state that the Dutch had called upon us to fulfil the terms of our alliance. They were obliged to confess, that no such requisition had been made; but added, that they knew the Dutch were very much disposed to make it. Whatever might be the words of the treaty, we were bound in honour, by virtue of that treaty, to protect the Dutch, if they called upon us to do so, but neither by honour nor the

treaty till then. The conduct of the Dutch was very unfortunate upon this occasion. In the order for a general fast by the States, it was expressly said, "that their neutrality seemed to put them in security amidst surrounding armies, and had hitherto effectively protected them from molestation."

This he by no means construed into giving up the opening of the Scheldt on their part; but it pretty clearly shewed, that they were not disposed to make it the cause of a war, unless forced to do so by us. But France had broken faith with the Dutch—was this a cause for us to go to war? How long was it since we considered a circumstance tending to diminish the good understanding between France and Holland, as a misfortune to this country? The plain state of the matter was, that we were bound to save Holland from war, or by war, if called upon; and that to force the Dutch into a war at so much peril to them, which they saw and dreaded, was not to fulfil, but to abuse the treaty. Hence he complained of the disingenuous conduct of ministers, in imputing that to the Dutch, which the Dutch wished to avoid.

The decree of the 19th of November he considered as an insult; and the explanation of the executive council as no adequate satisfaction; but the explanation shewed that the French were not disposed to insist upon that decree, and that they were inclined to peace; and then our ministers, with haughtiness unexampled, told them, they had insulted us, but refused to tell them the nature of the satisfaction that we required. It was said, we must have security; and he was ready to admit that neither a disavowal by the executive council of France, nor a tacit repeal by the Convention, on the intimation of an unacknowledged agent, of a decree, which they might renew the day after they repealed it, would be a sufficient security. But at least we ought to tell them what we meant by security; for it was the extreme of arrogance to complain of insult without deigning to explain what reparation we required: and he feared an indefinite term was here employed, not for the purpose of obtaining, but of precluding satisfaction. Next it was said, they must withdraw their troops from the Austrian Netherlands, before we could be satisfied. Were we, then, come to that pitch of insolence as to say to France, "You have conquered part of an enemy's territory who made war upon you, we will not interfere to make peace, but we require you to abandon the advantages you have gained, while he is preparing to attack you anew." Was this the neutrality we meant to hold out to France? "If you are invaded and beaten, we will be quiet spectators; but if you hurt your enemy, if you enter his territory, we declare against you." If the invasion of the Netherlands was what

now alarmed us—and that it ought to alarm us if the result was to make the country an appendage to France, there could be no doubt—we ought to have interposed to prevent it in the very first instance; for it was the natural consequence, which every man foresaw, of a war between France and Austria. The French now said, they would evacuate the country at the conclusion of the war, and when its liberties were established. Was this sufficient? By no means: but we ought to tell them what we would deem sufficient, instead of saying to them, as we were now saying, "this is an aggravation, this is nothing, and this is insufficient." That war was unjust which told not an enemy the ground of provocation, and the measure of atonement; it was as impolitic as unjust, for without the object of contest, clearly and definitively stated, what opening could there be for treating of peace? Before going to war with France, surely the people, who must pay and must suffer, ought to be informed on what object they were to fix their hopes for its honourable termination. After five or six years war, the French might agree to evacuate the Netherlands as the price of peace. Was it clear that they would not do so now, if we would condescend to propose it in intelligible terms? Surely in such an alternative, the experiment was worth trying. But, then, we had no security against French principles! What security would they be able to give us after a war which they could not give now?

With respect to the general danger of Europe, the same arguments applied, and to the same extent. To the general situation and security of Europe we had been so scandalously inattentive; we had seen the entire conquest of Poland, and the invasion of France, with such marked indifference, that it would be difficult now to take it up with the grace of sincerity; but even this would be better provided for, by proposing terms before going to war.

He had thus shewn that none of the professed causes were grounds for going to war. What, then, remained but the internal government of France, always disavowed, but ever kept in mind, and constantly mentioned? The destruction of that government was the avowed object of the combined powers whom it was hoped we were to join; and we could not join them heartily if our object was one thing while theirs was another; for in that case the party whose object was first obtained might naturally be expected to make separate terms, and there could be no cordiality nor confidence. To this, then, we came at last, that we were ashamed to own our engaging to aid the restoration of despotism, and collusively sought pretexts in the Scheldt and the Netherlands. Such would be the real cause of the war, if war we

were to have — a war, which he trusted he should soon see as generally execrated, as it was now thought to be popular. He knew, that for this wish, he should be represented as holding up the internal government of France as an object for imitation. He thought the present state of government in France any thing rather than an object of imitation; but he maintained as a principle inviolable, that the government of every independent state was to be settled by those who were to live under it, and not by foreign force. The conduct of the French in the Netherlands was the same with such a war as he was now deprecating, and might be an omen of its success. It was a war of pikes and bayonets against opinions; it was the tyranny of giving liberty by compulsion; it was an attempt to introduce a system among a people by force, which the more it was forced upon them, the more they abhorred. The French appeared less moderate, from pretending to be more so, than other nations; by overturning the ancient government, and imposing theories of their own, on a people who disliked them, while they pretended to liberate, instead of using their right of conquest. But was this such a crime in the eyes of Europe? As was said of the woman caught in adultery, which of the courts, that of London or Berlin, would cast the first stone? The States of Brabant, they were told, had, *pacta conventa*, a legal and free government of their own. But, were the States free under the House of Austria, under Joseph, Leopold, or Francis? O yes! for when Dumourier was triumphantly entering Brussels, and the Austrian governors making their escape at a postern, they sent back a declaration to the States, restoring their magna charta, the *joyeuse entrée*, which had been the perpetual subject of dispute with their sovereign, and which all their remonstrances could never obtain before. This was the government that acted with such honour to its subjects, and put the French to shame! He feared that if they were to examine the conduct of foreign powers, in point of honour and good faith, they must be compelled to speak less civilly of them than policy would dictate. Why, then, had he touched upon it? Because the conduct of France was perpetually introduced to inflame and delude, and it was his duty to dispel the delusion, by shewing that it was not more exceptionable than that of its neighbours.

In all decisions on peace or war, it was important to consider what we might lose, and what we could gain. On the one hand, extension of territority was neither expected nor eligible: on the other, although he feared not the threat of the French minister of marine, would any man say that our ally might not suffer; that the events of war might not produce a

change in the internal state of Holland, and in the situation of the stadtholder, too afflicting for him to anticipate? In weighing the probable danger, every consideration ought to be put into the scale. Was the state of Ireland such as to make war desirable? That was a subject which had been said by some honourable gentlemen to be too delicate to be touched upon; but he approved not of that delicacy which taught men to shut their eyes to danger. The state of Ireland he was not afraid to mention. He thought it both promising and alarming; promising, because the government of this country had forced the government of that kingdom to an acknowledgement of the undoubted rights of a great majority of the people of Ireland, after having in a former session treated their humble petition with contempt, and in the summer endeavoured to stir up the protestants against the catholics; alarming, because the gross misconduct of administration had brought the government and the legislature into contempt in the eyes of the people. Here he called on his honourable friend (Mr. Windham) who had given the aid of his great talents, as secretary in Ireland, to an administration with which he had the honour of being connected, on the same principle on which he had declared, that he would support ministers when they had done mischief enough to be formidable, when they had brought the country into a situation sufficiently perilous, to accept of the same situation again, and avert the danger which they had created. He hoped the plan to be pursued would be conciliatory, that concession to the claims of the people would be deemed wisdom, and the time of danger the fit time for reform; in short, he hoped that the plan would be in every thing contrary to the declarations of the right honourable the chancellor of the exchequer.

The people of this country loved their constitution. They had experienced its benefits; they were attached to it from habit. Why, then, put their love to any unnecessary test? That love by being tried could not be made greater, nor would the fresh burdens and taxes, which war must occasion, more endear it to their affection. If there was any danger from French principles, to go to war without necessity was to fight for their propagation.

On these principles as reprobated in the proposed address, he would freely give his opinion. It was not the principles that were bad and to be reprobated, but the abuse of them. From the abuse, not the principles, had flowed all the evils that afflicted France. The use of the word "equality" by the French was deemed highly objectionable. When taken as they meant it, nothing was more innocent; for what did

they say? "all men are equal in respect of their rights." To this he assented; all men had equal rights, equal rights to unequal things; one man to a shilling, another to a thousand pounds; one man to a cottage, another to a palace; but the right in both was the same, an equal right of enjoying, an equal right of inheriting or acquiring, and of possessing inheritance or acquisition. The effect of the proposed address was to condemn, not the abuse of those principles, (and the French had much abused them,) but the principles themselves. To this he could not assent, for they were the principles on which all just and equitable government was founded.

Mr. Fox said, he had already differed sufficiently with a right honourable gentleman (Mr. Burke) on this subject, to wish to provoke any fresh difference; but even against so great an authority he must say, that the people are the sovereign in every state; that they have a right to change the form of their government, and a right to cashier their governors for misconduct, as the people of this country cashiered James II., not by a parliament, or any regular form known to the constitution, but by a convention speaking the sense of the people; that convention produced a parliament and a king. They elected William to a vacant throne, not only setting aside James, whom they had justly cashiered for misconduct, but his innocent son. Again, they elected the House of Brunswick, not individually, but by dynasty; and that dynasty to continue while the terms and conditions on which it was elected were fulfilled, and no longer. He could not admit the right to do all this but by acknowledging the sovereignty of the people as paramount to all other laws.

But it was said, that although we had once exercised this power, we had in the very act of exercising it, renounced it for ever. We had neither renounced it, nor, if we had been so disposed, was such a renunciation in our power. We elected first an individual, then a dynasty, and lastly passed an act of parliament, in the reign of Queen Anne, declaring it to be the right of the people of this realm to do so again without even assigning a reason. If there were any persons among us, who doubted the superior wisdom of our monarchical form of government, their error was owing to those who changed its strong and irrefragable foundation in the right and choice of the people, to a more flimsy ground of title. To those who proposed repelling opinions by force, the example of the French in the Netherlands, might teach the impotence of power to repel, or to introduce. But how was a war to operate in keeping opinions' supposed dangerous out of this country? It was not surely meant to beat the French out of their own opinions; and opinions were not like commo-

dities, the importation of which from France war would prevent. War, it was to be lamented, was a passion inherent in the nature of man; and it was curious to observe, what at various periods had been the various pretences. In ancient times wars were made for conquest. To these succeeded wars for religion, and the opinions of Luther and Calvin were attacked with all the fury of superstition and of power.

The next pretext was commerce; and it would probably be allowed that no nation that made war for commerce ever found the object accomplished on concluding peace. Now we were to make war on account of opinions: what was this but recurring again to an exploded cause? For a war about principles in religion was as much a war about opinions, as a war about principles in politics. In the excellent set of papers alluded to by the right honourable the chancellor of the exchequer, and which he had no doubt had been liberally distributed to the gentlemen who had lately got so many new lights on French affairs, the atheistical speech of Dupont in the convention was quoted. But did they believe all the French to be atheists and unbelievers on account of that speech? If they did so believe, there would certainly be no reason to complain of them for want of faith. But, admitting that the French were all atheists, were we going to war with them in order to propagate the christian religion by means contrary to the precepts of Christ? The justifiable grounds of war were insult, injury, or danger. For the first, satisfaction; for the second, reparation; for the third, security was the object. Each of these, too, was the proper object of negociation, which ought ever to precede war, except in case of an attack actually commenced. How had we negociated? Not in any public or efficient form, a mode which he suspected, and lamented, by his proposing it had been prevented. A noble lord (Beauchamp) had said, that he thought it his duty not to conceal his opinions on so important an occasion, by absence or by silence; formerly, the noble lord did not think absence so great a crime. During the nine unfortunate years that he had maintained the same political connections with himself, the noble lord's attendance had not been very assiduous; and he rejoiced to hear that the noble lord meant now to compensate for past omissions by future diligence.

When the triple league was formed to check the ambition of Louis the XIVth, the contracting parties did not deal so rigorously by him, as we were now told it was essential to the peace of Europe that we should deal by the French. They never told Louis that he must renounce all his conquests in order to obtain peace. But, then, it was said to be our duty to hate the French for the part they took in the American

war. He had heard of a duty to love, but a duty to hate was new to him. That duty, however, ought to direct our hatred to the old government of France; not to the new, which had no hand in the provocation. Unfortunately, the new French government was admitted to be the successor of the old in nothing but its faults and its offences. It was a successor to be hated and to war against: but it was not a successor to be negociated with. He feared, however, that war would be the result, and from war, apprehending greater evils than he durst name, he should have shrunk from his duty if he had not endeavoured to obtain an exposition of the distinct causes. Of all wars, he dreaded that the most which had no definite object, because of such a war it was impossible to see the end. Our war with America had a definite object, an unjust one indeed, but still definite; and after wading through years on years of expence and blood, after exhausting invectives and terms of contempt on the "vagrant congress," "one Adams," "one Washington," &c. &c., we were compelled at last to treat with this very congress, and those very men. The Americans, to the honour of their character, committed no such horrid acts as had disgraced the French; but we were as liberal of our obloquy to the former then as to the latter now. If we did but know for what we were to fight, we might look forward with confidence, and exert ourselves with unanimity; but while kept thus in the dark, how many might there be who would believe that we were fighting the battles of despotism! To undeceive those who might fall into this unhappy delusion, it would be no derogation from the dignity of office to grant an explanation. If the right honourable the chancellor of the exchequer would but yet consider—if he would but save the country from a war—above all, a war of opinion—however inconsistent with his former declarations his measures might be, he would gladly consent to give him a general indemnity for the whole, and even a vote of thanks. Let not the fatal opinion go abroad, that kings have an interest different from that of their subjects; that between those who have property and those who have none there is not a common cause and common feeling!

He knew that he himself should now be represented as the partizan of France, as he had been formerly represented the partizan of America. He was no stranger to the industry with which these and other calumnies were circulated against him, and therefore he was not surprised. But, he really was surprised to find that he could not walk the streets without hearing whispers, that he and some of his friends had been engaged in improper correspondence with persons in France. If there were any foundation for such a charge, the source of

the information could be mentioned. If it were true, it was capable of proof. If any man believed this, he called upon him to state the reasons of his belief. If any man had proofs, he challenged him to produce them. But, to what was this owing? The people had been told by their representatives in parliament that they were surrounded with dangers, and had been shewn none. They were, therefore, full of suspicion and prompt of belief. All this had a material tendency to impede freedom of discussion, for men would speak with reserve, or not speak at all, under the terror of calumny. But he found by a letter in a newspaper, from Mr. Law, that he lived in a town where a set of men associated, and calling themselves gentlemen, (Mr. Reeves's association at the Crown and Anchor,) not only received anonymous letters reflecting on individuals, but corresponded with the writers of such letters, and even sometimes transmitted their slanders to the secretary of state. He could not be much surprised at any aspersion on his character, knowing this; and therefore he hoped the House would give him the credit of being innocent till an open charge was made; and that if any man heard improper correspondence imputed to him in private, he would believe that he heard a falsehood, which he who circulated it in secret durst not utter in public.

The address was agreed to without a division.

Address on the King's Message respecting the Declaration of War by France.

February 12.

On the 11th of February, Mr. Secretary Dundas presented the following message from his majesty:

"G. R.

"His majesty thinks proper to acquaint the House of Commons, that the assembly now exercising the powers of government in France, have, without previous notice, directed acts of hostility to be committed against the persons and property of his majesty's subjects, in breach of the law of nations, and of the most positive stipulations of treaty; and have since, on the most groundless pretences, actually declared war against his majesty and the United Provinces. Under the circumstances of this wanton and unprovoked aggression, his majesty has taken the necessary steps to main-

tain the honour of his crown, and to vindicate the rights of his people; and his majesty relies with confidence on the firm and effectual support of the House of Commons, and on the zealous exertions of a brave and loyal people, in prosecuting a just and necessary war; and in endeavouring, under the blessing of Providence, to oppose an effectual barrier to the farther progress of a system which strikes at the security and peace of all independent nations, and is pursued in open defiance of every principle of moderation, good faith, humanity, and justice.

"In a cause of such general concern, his majesty has every reason to hope for the cordial co-operation of those powers who are united with his majesty by the ties of alliance, or who feel an interest in preventing the extension of anarchy and confusion, and in contributing to the security and tranquillity of Europe."

On the following day, Mr. Pitt entered into an examination of the French declaration, and concluded with moving, "That an humble Address be presented to his majesty, to return his majesty the thanks of this House for his most gracious message, informing us, that the assembly, now exercising the powers of government in France, have, without previous notice, directed acts of hostility to be committed against the persons and property of his majesty's subjects, in breach of the law of nations and of the most positive stipulations of treaty: and have since, on the most groundless pretences, actually declared war against his majesty and the United Provinces: to assure his majesty that, under the circumstances of this wanton and unprovoked aggression, we must gratefully acknowledge his majesty's care and vigilance in taking the necessary steps for maintaining the honour of his crown, and vindicating the rights of his people; that his majesty may rely on the firm and effectual support of the representatives of a brave and loyal people, in the prosecution of a just and necessary war, and in endeavouring, under the blessing of Providence, to oppose an effectual barrier to the farther progress of a system which strikes at the security and peace of all independent nations, and is pursued in open defiance of every principle of moderation, good faith, humanity, and justice: That, in a cause of such general concern, it must afford us great satisfaction to learn that his majesty has every reason to hope for the cordial co-operation of those powers who are united with his majesty by the ties of alliance, or who feel an interest in preventing the extension of anarchy and confusion, and in contributing to the security and tranquillity of Europe: That we are persuaded, that whatever his majesty's faithful subjects must consider as most dear and sacred, the stability of our happy constitution, the security and honour of his majesty's crown, and the preservation of our laws, our liberty, and our religion, are all involved in the issue of the present contest; and that our zeal and exertions shall be proportioned to the importance of the conjuncture, and to the magnitude and value of the objects for which we have to contend."—After the motion had been seconded by Mr. Powys,

Mr. Fox said, that on an occasion so important, and not fearing the charge of pusillanimity from considering the pre-

sent crisis as highly alarming, it would ill become the duty which he owed to his constituents and to the nation, were he to decline meeting the imputation of being the abettor of France, with which he was already menaced; or, by the bold misconstructions of his sentiments and arguments to which he had been accustomed, be deterred from examining and stating what was the true situation in which the country was involved in war. He had never accused the honourable gentleman who seconded the address of a systematic opposition to ministers, nor of acting upon any system; but he called upon him to name those persons in the House, if any such there were, whom he meant to include under the description of supporters of the French system. The honourable gentleman knew that just so were those treated who opposed the folly and injustice of the American war. Yet, notwithstanding their being long and industriously misrepresented as the abettors of rebellion, a band of as patriotic and as honourable men as ever deserved public gratitude by public services, by some of whom he trusted he should be supported in opposing the address now moved, united their abilities to put an end to that war, and at length succeeded.

The right honourable gentleman who moved the address, had stated the origin and necessity of the war, on grounds widely different from those assumed by the honourable gentleman who seconded it. The latter had said, that the power of France, under every change of men and circumstances, was a monster, whose hand was against all nations, and that the hand of every nation ought to be against France: the former, that the cause of the war was not our general bad opinion of France, but specific aggressions on the part of France. So far the difference was great with respect to our immediate situation of being actually at war; and it was still greater when we came to inquire into our prospect of peace. If we were at war because France was a monster whose hand was against all nations, it must be *bellum internecinum*—a war of extermination; for nothing but unconditional submission could be adequate to the end for which the war was undertaken, and to that alone must we look for a safe or honourable peace. If, on the contrary, we were at war on account of a specific aggression, for that aggression atonement might be made, and the object being obtained, peace might be concluded. He therefore hoped, that the right honourable mover of the address was sincere in the statement he had given, although he had failed in making out the grounds on which he endeavoured to support it. Few of those, he trusted, who had been most zealous in recommending the expediency of this war, wished it to be a war of extermination—a war for

extirpating French principles, not for circumscribing French power; yet all their arguments tended to alarm him. They never talked of the danger of French power without introducing as a danger more imminent, the propagation of French principles. The honourable gentleman asked, if he could be expected to make terms with a highwayman, or to take the highwayman's purse as a satisfaction for the attack upon his own? Certainly not. The honourable gentleman knew his duty to society better, than to let the highwayman escape, if he had the means of bringing him to punishment. But this allusion shewed, that the war with France was, in the opinion of the honourable gentleman, a war of vindictive justice. We said, that our object in going to war was not to effect a change in the internal government of France, but to weaken her power, which, in its present state, was dangerous to us, our allies, and to Europe; and, that object obtained, we were willing to make peace. But, would any man say, that when he had disarmed a highwayman, it was safe to leave him free to get other arms? No man, certainly; and no more on this principle could we, in any state of humiliation to which the power of France might be reduced, leave her at liberty to recruit that power, and to renew aggressions, to which we contended she must have the inclination, whenever she had the means. The honourable gentleman might support ministers for any reasons that to himself seemed good; either because he thought them wise or ignorant, honest or dishonest; but he had no right to accuse those who thought differently from himself, of sowing disaffection among the people, because they wished to inform the people what were the true grounds of the war, which they were called upon to support with their property and their lives. The honourable gentleman rejoiced that the public entertained a more favourable opinion of ministers, in the present crisis, than ministers deserved. Did he mean to argue, that when ministers, by their misconduct, had brought the country into danger, and the people, ignorant of their true characters, were disposed to think well of them, the House of Commons, who knew better, should endeavour to continue, instead of removing their delusion? His doctrine would then come to this—that implicit confidence in ministers, so often and so justly reprobated, was the first duty of the House; that they had nothing to watch, and ought never to inquire. Monarchy, it was truly said, was the corner-stone of our constitution, and of all the blessings we enjoyed under it; but it was not the only corner-stone; there was another fully as important—the constant jealousy and vigilance, both of the people and their representatives, with respect to all the acts of the executive power.

Mr. Fox said, he felt himself considerably disappointed at the conduct of his majesty's ministers. He had flattered himself, that when unanimity was so very desirable they would have brought down a message from his majesty, calculated to insure it; that they would not have considered a triumph over the very small number to which they boasted of having reduced their opponents, to be a matter of such consequence, as to call for an address to which they knew those few opponents could not agree, because to do so must preclude them from all subsequent inquiry. If they had moved an address, simply pledging the cordial co-operation of the House in prosecuting a just and necessary war, for the purpose of a safe and honourable peace, to such an address, whatever might have been his opinion of the previous conduct of ministers, whether he had thought it temperate and conciliatory, or arrogant and provoking, he should have agreed.. But, the House was now called upon to vote, that ministers had given no cause or provocation for the war; to say, that they would enter into no investigation of the origin of the war; to give them indemnity for the past, and a promise of support for the future. This was the manifest tendency of the address; and to prevent the want of unanimity, which such an address could not but occasion, he should move an amendment, in which even the warmest advocate of the war might concur, because it expressed no disapprobation of ministers, as theirs ought to have expressed no approbation.

But, first, he must examine the alleged causes of the war. He would not enter into any of the common-place arguments on the miseries and calamities inseparable from war. He did not mean to call them common-place arguments in the bad sense of the words, for they were truths so familiar to the minds of men, that they were never listened to without assent; and, however unnecessary it might be to enforce them by eloquence, or amplify them by declamation, their being universally admitted was sufficient to prove, that war should never be undertaken when peace could be maintained without breach of public faith, injury to national honour, or hazard of future security. The causes of war with France were in no respect different now from what they were under the government of Louis XIV. or Louis XVI. What, then, were those causes? Not an insult or aggression, but a refusal of satisfaction when specifically demanded. What instance had ministers produced of such demand and of such refusal? He admitted, that the decree of November the 19th entitled this country to require an explanation; but even of this they could not shew that any clear and specific explanation had been demanded. Security that the French would not act upon that

decree was, indeed, mentioned in one of Lord Grenville's letters, but what kind of security was neither specified, nor even named. The same might be said with respect to the opening of the Scheldt, and their conquest of Brabant. We complained of an attack on the rights of our ally; we remonstrated against an accession of territory, alarming to Europe; but we proposed nothing that would be admitted as satisfaction for the injury; we pointed out nothing that would remove our alarm. Lord Grenville said something about withdrawing their troops from the Austrian Netherlands; but if by that was understood, a requisition to withdraw their troops while they were at war with the emperor, without any condition that such evacuation of territory conquered from the enemy was to be the price of peace, it was such an insult as entitled them to demand satisfaction of us. The same argument applied to their conquest of Savoy from the King of Sardinia, with whom, in his opinion, they were at war as much as with the emperor. Would it be said, that it was our business only to complain, and theirs to propose satisfaction? Common sense must see that this was too much for one independent power to expect of another. By what clue could they discover what would satisfy those who did not choose to tell with what they would be satisfied? How could they judge of the too little or the too much? And was it not natural for them to suppose that complaints for which nothing was stated as adequate satisfaction, there was no disposition to withdraw? Yet on this the whole question of aggression hinged; for, that the refusal of satisfaction, and not the insult, was the justifiable cause of war, was not merely his opinion, but the opinion of all the writers on the law of nations; and how could that be said to have been refused which was never asked? He lamented, that at a time when the dearest interests of the country were at stake, the House should have felt so little concern as to deprive him of the opportunity of making the motion of which he had given notice, for want of a sufficient attendance to ballot for an election committee. By that motion he meant to press for a distinct and specific declaration of the causes of the war, and had he succeeded it would have had this good effect, that both we and the enemy should have known the grounds of contest, have been able to appreciate them, and the war might have been but of short duration. There was much in the decree by which the French declared war, which could not fairly be alleged as just cause of war. But, under the former good government of France, was it unusual to crowd into a manifesto setting forth the causes of war, every complaint that could be imagined, good, bad and indifferent? It was, indeed, to be wished, that nothing should be introduced

into such declarations but what was at once true and important; but such had not yet been the practice of statesmen, who seemed more attentive to the number than the validity of their complaints. In the year 1779, the Spanish declaration was swelled to a hundred articles; and to examine every article of the present French declaration would only shew that those who now exercised the executive government were not wiser than their predecessors.

To have suffered Earl Gower to remain at Paris, after the 10th of August, would have implied no recognition of the government that succeeded that to which he had his formal mission, any more than to have negociated with that government in the most direct and safe way, in preference to one that was indirect and hazardous, But the right honourable gentleman, who could not get rid of the idea of recognition, exclaimed, "Would you recognize a government which, by its own confession, is no government; which declares itself only provisional till a government can be framed?" This he would answer was the safest of all recognitions, if a recognition it must be; for the government being only provisional, we could only be understood to recognize provisionally, and were at liberty to act as the case might require, with any other power that might arise in its stead. But, did not history shew us, that to treat and to recognize were not considered as the same? Did not we treat with Philip of Spain, as king, at the very time that we were at war to dispute his succession; and was not the recognition of his title, far from being considered as admitted by us on that account, actually stipulated as an article of the peace? Did not France, when at war to dispute the accession of William III. to the throne of England, treat with him as king, and was not the recognition of his title also made one of the conditions of peace? Still, however, he would admit, that withdrawing our minister, or not sending another, was not a just cause of war on the part of France; but could it be denied, that to treat one nation in a manner different from others was a symptom of hostility? The recalling of ministers was certainly once considered as an indication of war, for the commercial treaty provided for a case where no war was declared but by such recall.

Mr. Fox said, that none of the alleged grounds in the French declaration could be more absurd, than that the circulation of their assignats were prohibited in this country; for that was purely a measure of internal regulation, as much as it would be to prohibit the circulation of paper issued among ourselves that perhaps stood on a much surer capital. But even here we were not quite impartial; for although that paper was called worth nothing which at present brought fourteen

pence halfpenny for half-a-crown, the paper created by that gigantic act of swindling, the assignats issued by the leaders of the combined armies, were not certainly worth more, but we had not thought it necessary to forbid the circulation of them; we had not prohibited the circulation of American paper even during the war, nor was it at all necessary; such paper wanted no prohibition. We had the right to prohibit it if we pleased, but he did not like assigning one reason for a thing when we evidently acted from another. The prohibiting the exportation of foreign corn to French ports, while it was free to other countries, it was said, arose from preceding circumstances: and according to these circumstances it might be a justifiable or unjustifiable act of hostility, but it was an act of hostility so severe, that the circumstances which justified it would have justified a war, and no such circumstances, as he had already proved, could be shewn.

The alien bill was not a just cause of war, but it was a violation of the commercial treaty, both in the letter and the spirit. The right honourable gentleman said, that the French had made regulations in their own country by which the treaty had been already completely broken and at an end. But, did he complain of those regulations, for it was expressly provided by the treaty itself, that no violation should put an end to it, till complaint was made, and redress refused. Here lay the important difference. The French made no regulations that put aliens on a different footing from Frenchmen. They made general regulations of safety and police, as every nation had a right to do. We made regulations affecting aliens only, confessed to be more particularly intended to apply to Frenchmen. It was admitted, that the French desired an explanation of these regulations, and that an explanation was refused them. By us, therefore, and not by the French, was the commercial treaty broken.

Our sending a squadron to the Scheldt they complained of as an injury. And here the right honourable gentleman introduced the popular topic of their charming operations in Belgium; the disturbance of which they thought themselves intitled to resent as an aggression. He was as little disposed to defend their operations in Belgium as the right honourable gentleman, although he saw not for what purpose they were here alluded to, unless to inflame the passions, and mislead the judgment; but if by that squadron we had disturbed them in their operations of war against the emperor, which he admitted we had not done, they would have had just cause to complain. "Then," said the right honourable gentleman, "they complain of our conduct on the afflicting news of the murder of their king; what, shall we not grieve

for the untimely fate of an innocent monarch most cruelly put to death by his own subjects? Shall we not be permitted to testify our sorrow and abhorrence on an event that outrages every principle of justice, and shocks every feeling of humanity?" Of that event he should never speak but with grief and detestation. But, was the expression of our sorrow all? Was not the atrocious event made the subject of a message from his majesty to both Houses of parliament? And now he would ask the few more candid men, who owned that they thought this event alone a sufficient cause of war, what end could be gained by farther negociation with Chauvelin, with Maret, or Dumourier? Did ministers mean to barter the blood of this ill-fated monarch for any of the points in dispute; to say, the evacuation of Brabant shall atone for so much, the evacuation of Savoy for so much more? Of this he would accuse no man; but, on their principle, when the crime was committed, nogociation must cease. He agreed, however, with the right honourable gentleman, and he was glad to hear him say so, that this crime was no cause of war; but, if it were admitted to be so, it was surely not decent that the subject of war should never be even mentioned without reverting to the death of the king. When he proposed sending an ambassador to France, "What!" said the right honourable gentleman, "send an ambassador to men that are trying their king!" If we had sent an ambassador, even then; had our conduct towards the French been more candid and conciliating, the fatal issue of that trial might have been prevented. "But," said the right honourable gentleman, "we negociated unofficially." The importance to any wise purpose of this distinction between official and unofficial negociation, of this bartering instead of selling, he could never understand; but even to this mode of negociating the dismission of M. Chauvelin put an end. But M. Chauvelin, it was said, went away the very day after he received the order, although he might have stayed eight days and negociated all the while! Was it so extraordinary a thing that a man of honour, receiving such an order, should not choose to run the risk of insult, by staying the full time allowed him; or could he imagine, that his ready compliance with such an order would be considered as an offence? When M. Chauvelin went away and M. Maret did not think himself authorised to negociate, ministers sent a message to Lord Auckland, to negociate with General Dumourier, which reached him too late. Admitting this to be a proof of their wish to negociate, while negociation was practicable, what was their conduct from the opening of the session? If he or any of his friends proposed to negociate — "Negociate!"

they exclaimed, " we are already at war." Now it appeared that they did negociate with unaccredited agents, although the secretary of state had said that such a negociation was not compatible with his belief; and, last of all, (strange conduct for lovers of peace!) they ordered to quit the country the only person with whom they could negociate in their unofficial way. He was happy to see the right honourable gentleman so much ashamed of this mutilated farce of negociation, as to be glad to piece it out with Lord Auckland and General Dumourier. Then was asked the miserable question, " What interest have ministers in promoting a war, if, as it has been said, the ministers who begin war in this country are never allowed to conclude it?" Admitting this to be true, for which he saw no good reason, then surely they who endeavoured to avert a war, ought to be allowed some credit for the purity of their motives. But ministers never opened a fair communication on the points in dispute with France. They acted like men afraid of asking satisfaction, for fear that it should be granted — of stating the specific causes of war, lest they should lose the pretext.

An opinion somewhere stated, had been adverted to, that the people might consider this as a war in which kings were more interested than their subjects. He felt great respect for monarchy, and it was neither his practice nor his inclination to speak harshly of kings. He had already said, that monarchy was the corner, or rather the key-stone of the British constitution, which was limited, not unlimited monarchy. But, with all due reverence for crowned heads, was it impossible to conceive that kings might love, not limited, but unlimited monarchy; and that resistance to the limited monarchy attempted to be established in France, in the room of the unlimited monarchy, by which that country was formerly governed, might have been the true cause of the combination of some of the crowned heads of Europe? Our king had sat too long on the throne of a free kingdom; he had had too much experience that the love of his people was a stronger defence than guards and armies, to forfeit that love, by transgressing the bounds which the constitution prescribed to him, were even his virtues and his wisdom less than they were known to be. But, had not kings the frailties of other men? Were they not liable to be ill advised? What became of that freedom of speech which was the boast of parliament, if he might not suppose, that, by evil counsellors, their ears might be poisoned, and their hearts deceived? He therefore feared, that this war would be supposed a war for restoring monarchy in France, and for supporting rather the cause of kings, than the cause of the people. He would be the last

to draw a distinction of interest between the rich and the poor; for, whatever the superficial observer might think, nothing was clearer, when philosophically considered, than that a man who was not immediately possessed of property, had as great an interest in the general protection and security of property, as he who was; and therefore he reprobated all those calls upon the particular exertions of men of property, as tending to excite the idea of an invidious distinction, which did not exist in fact.

When the attack on France was called the cause of kings, it was not a very witty, but a sufficient reply, that opposing it might be called the cause of subjects. He imputed bad motives to no man, but when actions could not be explained on one motive, he had a right to attempt to explain them on another. If there were at present such a spirit in this country as in the beginning of the American war, what would be our conduct? To join the combined powers in their war on the internal government of France. He was happy that the public abhorrence of a war on such a motive was so great, that the right honourable gentleman felt himself called upon to disclaim it at great length. But how had ministers acted? They had taken advantage of the folly of the French, they had negociated without proposing specific terms, and then broken off the negociation. At home they had alarmed the people that their own constitution was in danger, and they had made use of a melancholy event, which, however it might affect us as men, did not concern us as a nation, to inflame our passions and impel us to war; and now that we were at war, they durst not avow the causes of it, nor tell us on what terms peace might have been preserved.

He rejoiced to hear that we had no treaty with the emperor. If our motives were now suspected, he hoped our future conduct would be such as to put away suspicion. If we joined the Emperor and the King of Prussia, we must make common cause with them, or act always with the jealousy and suspicion of parties, either of whom might secure their own views by a separate peace at the expence of the rest. When we found ourselves drawn into this common cause, we might say that we were forced to what we did not intend; but the fact would be, that we should be wasting the blood and treasure of the people of this country for an object which the people of this country disclaimed — to enable foreign armies to frame a government for France. Such an instance would furnish more arguments against the mechanism of our constitution, than all the writers who had scrutinized its defects. He hoped we neither had, nor should have, any treaty with the combined powers, unless our objects were

specifically stated. But what might be the moment of discussing these objects? The moment of danger and alarm, with the powerful engine, fear, influencing their decision. By the promise in his majesty's speech, of employing firm and temperate measures, he had understood, first, remonstrance on the causes of complaint, then a specific demand of satisfaction, and an armament to give efficacy to both. On his hope of the first two he had voted for the third.

The right honourable gentleman said, we had received insults that ought not to have been borne for twenty-four hours. These were magnanimous words. In the affair of Nootka Sound the aggression by Spain was as direct and unqualified as any that could be stated, and yet we had borne it for twenty-four days. Why was not the same course pursued now as then? He was now called upon, as a member of that House, to support his majesty in the war, for the war was begun, and he would do it; but he was not pledged to any of those crooked reasonings on which some gentlemen grounded their support of ministers, nor less bound to watch them, because, by their misconduct, we had been forced into a war, which both the dignity and the security of Great Britain would have been better consulted in avoiding. He was never sanguine as to the success of a war. It might be glorious to our army and our navy, and yet ruinous to the people. The event of the last campaign—*procul absit omen*—and the example of the American war, had taught him, that we might be compelled to make peace on terms less advantageous than could have been obtained without unsheathing the sword; and if this might be the consequence to us, the consequences to our ally, the Dutch, must be such as he would not suffer himself to anticipate. The ordering M. Chauvelin to depart the kingdom, and the stopping the exportation of corn to France, when exportation was allowed to other countries, were acts of hostility and provocation on our part, which did not allow us to say, as the proposed address said, that the war was an unprovoked aggression on the part of France. Truth and justice were preferable to high-sounding words, and therefore he should move an amendment, containing nothing that was not strictly true, and in voting which the House might be unanimous.

Mr. Fox concluded with moving his amendment, as follows: "That we learn, with the utmost concern, that the assembly, who now exercise the powers of government in France, have directed the commission of acts of hostility against the persons and property of his majesty's subjects, and that they have actually declared war against his majesty and the United Provinces: that we humbly beg leave to assure his majesty, that his majesty's faithful Commons will exert themselves with

the utmost zeal in the maintenance of the honour of his majesty's crown, and the vindication of the rights of his people; and nothing shall be wanting on their part that can contribute to that firm and effectual support which his majesty has so much reason to expect from a brave and loyal people, in repelling every hostile attempt against this country, and in such other exertions as may be necessary to induce France to consent to such terms of pacification as may be consistent with the honour of his majesty's crown, the security of his allies, and the interests of his people."

Mr. Fox's amendment was rejected, and the address proposed by Mr. Pitt agreed to without a division.

MR. FOX'S RESOLUTIONS AGAINST THE WAR WITH FRANCE.

February 18.

THIS day, in pursuance of the notice he had given,

Mr. Fox rose. He said that he had delivered his sentiments so frequently on the several points included in his intended motion, that the House could not expect him to add much that was new. Having been accused in the last debate with repeating the same things over and over, he should now content himself with referring to the opinions he had formerly delivered; and hoped that he should not be again reproached, in the same breath that reminded him of repetition, with failing to repeat any one of those opinions to whatever part of the subject it might relate. The present crisis was awful. He had done every thing in his power to avert the calamity of war; and he did intend to have made one more attempt, if he had not been most unaccountably prevented by the failure of public business for a whole week. That opportunity was unfortunately lost. We were now actually engaged in war; and being so engaged, there could be no difference of opinion as to the necessity of supporting it with vigour. No want of disposition to support it could be imputed to him; for, in the debate on his majesty's message announcing that we were at war, he had moved an amendment to the address, as much pledging the House to a vigorous support of it, as the address proposed by his majesty's ministers, and better calculated to

ensure unanimity. But the more he felt himself bound to support the war, the more he felt himself bound to object to the measures which, as far as yet appeared, had unnecessarily led to it.

The necessity of the war might be defended on two principles: first, the *malus animus*, or general bad disposition of the French towards this country; the crimes they have committed among themselves; the systems they have endeavoured to establish, if systems they might be called; in short, the internal government of their country. On this principle, there were few indeed that would venture to defend it: and this being disavowed as the cause of war by his majesty's ministers, it was unnecessary for him to dwell upon it. Secondly, that various things have been done by the French, manifestly extending beyond their own country, and affecting the interests of us and our allies; for which, unless satisfaction was given, we must enforce satisfaction by arms. This he considered as the only principle on which the necessity of the war could be truly defended, and in this he was sure the great majority of the House and of the country were of the same opinion. His object was to record this in an address; and whatever objection there might be as to time or circumstances, could he obtain the sense of the House purely upon the principle, he should be very sanguine in his hopes of success. Such a record would be a guide to their conduct in the war, and a landmark on which to fix their attention for the attainment of peace. In examining the alleged cases of provocation, he had maintained that they were all objects of negociation, and such as, till satisfaction was explicitly demanded and refused, did not justify resorting to the last extremity. He had perhaps also said, that ministers did not appear to have pursued the course which was naturally to be expected from their professions. He did not mean to charge them with adopting one principle for debate and another for action; but he thought they had suffered themselves to be imposed upon, and misled by those who wished to go to war with France on account of her internal government, and therefore took all occasions of representing the French as utterly and irreconcileably hostile to this country. It was always fair to compare the conduct of men in any particular instance with their conduct on other occasions. If the rights of neutral nations were now loudly held forth; if the danger to be apprehended from the aggrandizement of any power was magnified as the just cause of the present war; and if, on looking to another quarter, we saw the rights of Poland, of a neutral and independent nation, openly trampled upon, its territory invaded, and all this for the manifest aggrandizement of other powers, and no war de-

clared or menaced, not even a remonstrance interposed—for if any had been interposed, it was yet a secret—could we be blamed for suspecting that the pretended was not the real object of the present war—that what we were not told, was in fact the object, and what we were told, only the colour and pretext?

The war, however, be the real cause what it might, would be much less calamitous to this country, if, in the prosecution of it, we could do without allying ourselves with those who had made war on France, for the avowed purpose of interfering in her internal government; if we could avoid entering into engagements that might fetter us in our negociations for peace; since negociation must be the issue of every war that was not a war of absolute conquest, if we should shun the disgrace of becoming parties with those who in first attempting to invade France, and some of them in since invading Poland, had violated all the rights of nations, all the principles of justice and of honour.

On the first principle he had already stated, as one of two on which it might be attempted to justify the necessity of the present war, as it was most studiously disclaimed by ministers, and all but a very few members of that House, it was unnecessary for him to say any thing. On the second he had said, that the alleged causes of complaint were not causes of war previous to negociation, and on this point his opinions were not new, as they had formerly been called, but such as he had always entertained, from the first moment of his forming opinions upon such subjects; neither were they singular. He had since looked into the writers on the law of nations, and by all the most approved it was laid down as an axiom, that injuries, be they what they may, are not the just cause of war, till reparation and satisfaction have been fairly and openly demanded and evaded, or refused. Some of them even went so far as to say, that reparation and satisfaction ought to be demanded, both previous and subsequent to the declaration of war, in order to make that war just.

Our causes of complaint against France were, first, the attempt to open the navigation of the Scheldt; second, the decree of the 19th of November, supposed to be directed against the peace of other nations; third, the extension of their territory by conquest. The first of these was obviously and confessedly an object of negociation. The second was also to be accommodated by negociation; because an explanation that they did not mean what we understood by it, and a stipulation that it should not be acted upon in the sense in which we understood it, was all that could be obtained even by war. The third was somewhat more difficult, for it in-

volved in it the evacuation of the countries conquered, and security that they should in no sense be annexed to France; and no such security could, perhaps, at present be devised. But if we were aware of this; if we saw that during the war the French are engaged in with other powers, they had no such security to offer; if we knew that we were asking what could not be given, the whole of our pretended negociation, such as it had been, was a farce and a delusion; not an honest endeavour to preserve the blessings of peace, but a fraudulent expedient to throw dust in the eyes of the people of this country, in order that they might be hurried blindly into a war. The more he attended to the printed correspondence, the oftener he read Lord Grenville's letter to M. Chauvelin, so repeatedly alluded to, the more convinced he was how extremely deficient we had been in communicating the terms on which we thought peace might be maintained. We told them they must keep within their own territory; but how were they to do this when attacked by two armies, that retired out of their territory only to repair the losses of their first miscarriage, and prepare for a fresh irruption? When to this studied concealment of terms were added the haughty language of all our communications, and the difficulties thrown in the way of all negociation, we must surely admit, that it was not easy for the French to know with what we would be satisfied, nor to discover on what terms our amity (not our alliance, for that he had never suggested, though the imputation had been boldly made,) — could be conciliated. When to all these he added the language held in that House by ministers, although he by no means admitted that speeches in that House were to be sifted for causes of war by foreign powers, any more than speeches in the French convention by us; and last of all, the paper transmitted by Lord Auckland at the Hague, to the States General — a paper which, for the contempt and ridicule it expressed of the French, stood unparalleled in diplomatic history — a paper, in which the whole of them, without distinction, who had been in the exercise of power since the commencement of the Revolution, were styled "a set of wretches investing themselves with the title of philosophers, and presuming in the dream of their vanity to think themselves capable of establishing a new order of society, &c." — how could we hope the French, who where thus wantonly insulted, to expect that any thing would be considered as satisfactory, or any pledge a sufficient security? Let the House compare Lord Auckland's language at the Hague with the pacific conduct of ministers at home, as represented by themselves. While they were trying every means to conciliate; while with moderation to an excess, which they could

not help thinking culpable, they were publicly ordering M. Chauvelin to quit the kingdom within eight days, but privately telling him that he might stay and negociate; while they were waiting for propositions from M. Maret, which M. Maret did not make; while they were sending instructions to Lord Auckland to negociate with General Dumou ar, Lord Auckland was writing that silly and insulting paper by their instructions; for if he had written such a paper without instructions, he was very unfit for his situation, and must have been instantly recalled. Thus, while, as they pretended, they were courting peace, they were using every manœuvre to provoke war. For these reasons, he should move, that ministers had not employed proper means for preserving peace, without sacrificing the honour or the safety of this country.

He came next to consider their conduct with respect to Poland. He had formerly said, that he wished not to speak harshly of foreign princes in that House, although the period had not long since passed, when it was thought perfectly allowable to talk of the Empress of Russia as a princess of insatiable ambition, and of the late emperor, as a prince too faithless to be relied upon. But when he spoke of the King of Prussia, he desired to be understood as speaking of the cabinet of the court of Berlin, whose conduct he was as free to criticise, as other gentlemen the conduct of the executive council of France. In May 1791, a revolution took place in Poland, on the suggestion, certainly with the concurrence, of the King of Prussia; and, as was pretty generally imagined, although not authentically known, with the court of London. By a dispatch to his minister at Warsaw, the King of Prussia expressed the lively interest which he had always taken in the happiness of Poland, a confirmation of her new constitution, and his approbation of the choice of the Elector of Saxony, and his descendants, to fill the throne of Poland, made hereditary by the new order of things, after the death of the reigning king. In 1792, the Empress of Russia, without the least plausible pretext, but this change in the internal government of the country, invaded Poland. Poland called upon the King of Prussia, with whose express approbation this change had been effected, for the stipulated succours of an existing treaty of alliance. He replied, that the state of things being entirely changed since that alliance, and the present conjuncture brought on by the revolution of May 1791, posterior to his treaty, it did not become him to give Poland any assistance, unless, indeed, she chose to retrace all the steps of that revolution, and then he would interpose his good offices both with Russia and the emperor to reconcile

the different interests. The different interests of foreign powers in the internal government of a free and independent nation! It was singular that ministers should be so keen to mark and stigmatise all the inconsistencies of the French with their former declarations, which had been too great and too many, and yet could see without emotion such inconsistency, not to say, perfidy, as this conduct exhibited. He was not the defender of the gross departures which had been made by the French from their own principles; but if we thought it unsafe to treat with them, because of their perfidy, we had little inducement to unite with the King of Prussia, who had violated not only principles, but an express treaty, in a more particular and pointed manner, than they had yet had an opportunity of doing. Among the powers at war, or likely to be at war with France, there was no great option of good faith. But the French, it was said, violated their principles, for the sake of robbery and rapine, to seize on territory, and plunder property. Let us look again for a moment to the King of Prussia.

In 1792 he limited the cause of war against Poland by Russia to the new constitution, which he himself had approved and promised to defend. But if once this obnoxious constitution was completely subverted, and that excellent old republic (for these crowned heads were great republicans when it suited their convenience) which had for ages constituted the happiness of Poland, re-established on its ancient basis, he would interpose his good offices to conciliate the different interests and restore peace. What, then, prevented him from interposing his good offices? Was not the new constitution completely subverted? Did not the Russian troops succeed in overrunning Poland? Were they not in possession of the whole country? And had not the Empress of Russia been able to restore the excellent old republic? But if she was satisfied with her success in this respect, not so the King of Prussia. He was a critic in principles. When he approved of their revolution, the principles of the Poles were unexceptionable; when they were attempting a brave but unsuccessful resistance to a more powerful adversary, their principles were not dangerous; but when they were overpowered by superior force, when they had laid down their arms and submitted to their conqueror, when their whole country was possessed by a foreign army, then he discovered that they had French principles among them, subversive of all government, and destructive of all society. And how did he cure them of these abominable principles? Oh! by an admirable remedy! —invading their country, and taking possession of their towns. Are they tainted with jacobinism? Hew down the

gates of Thorn, and march in the Prussian troops. Do they deny that they entertain such principles? Seize upon Dantzick and annex it to the dominions of Prussia. Now, did not this seizure and spoil of Poland tend to the aggrandizement of the powers by whom it was perpetrated? Was it not a greater and more contemptuous violation of the law of nations than the French had yet been guilty of? Most undoubtedly it was. Had we opposed it? Had we remonstrated against it? If ministers had any such remonstrances to shew, they would produce them in due time, and the House would judge of them; but while none were produced, or even mentioned, he must presume that none had been made. The invasion of Poland had this material aggravation, that the powers who invaded were not themselves attacked at the time. They had not the excuse of the French to plead, that they did it in a paroxysm of fear and danger, circumstances that prompt nations as well as individuals to many acts of impolicy and injustice. The King of Prussia first connives at or consents to the invasion of Poland, which he was bound by treaty to defend. Next, he attempts an unprovoked invasion of France and is foiled. How does he revenge the disgrace of his repulse? By increasing his army on the Rhine, by concentrating his forces for a fresh attack? No: he more gallantly turns round on defenceless Poland, and indemnifies himself for his losses by seizing on towns where he can meet with no resistance. It was not, therefore, on any general system of attention to the balance of Europe that ministers were acting, since, while they pretended to consider it as of the utmost importance in one case, they had suffered it to be most flagrantly infringed upon in another.

Having dwelt very copiously on the impolicy of viewing, without emotion, the dismemberment of Poland, by three mighty powers, and considering the balance of power engaged only when France had gained the advantage, Mr. Fox deprecated, of all things, any thing so infamous as our being supposed to be a party to this abominable confederacy of kings. In speaking thus freely, he hoped he should not be again accused of treating these monarchs with unnecessary severity. When public transactions were in question, it was the right of every one, under whose observation they came, to treat them in the manner precisely that they appeared to him. He did so in treating of our own domestic concerns, and he would take the liberty of doing so, whenever foreign politics were in any ways connected with them. He had but little means of knowing the private characters, habits, or dispositions of kings; and if he had, still, in discussions in that House, he could not fairly be represented as alluding to any

other than the public proceedings that were conducted in their name; so that when he spoke of the measures of the cabinet of Berlin, and censured them in the manner which he conceived them to deserve, the personal character of the King of Prussia was by no means implicated in that censure. He therefore lamented openly, that England could be supposed to be in the least involved in that detested league. He could wish, that if we had quarrels, we should fight them by ourselves; or if we were to have allies, that we should keep our cause of quarrel completely separated from theirs, and, without intermeddling with the internal concerns of the French republic, not burthen ourselves with any stipulations which should prevent us at any time from making a separate peace, without the concurrence or approbation of those sovereigns.

Mr. Fox concluded with moving the following resolutions:

1. "That it is not for the honour or interest of Great Britain to make war upon France on account of the internal circumstances of that country, for the purpose either of suppressing or punishing any opinions and principles, however pernicious in their tendency, which may prevail there, or of establishing among the French people any particular form of government.

2. "That the particular complaints which have been stated against the conduct of the French government are not of a nature to justify war in the first instance, without having attempted to obtain redress by negociation.

3. "That it appears to this House, that in the late negociation between his majesty's ministers and the agents of the French government, the said ministers did not take such measures as were likely to procure redress, without a rupture, for the grievances of which they complained; and particularly that they never stated distinctly to the French government any terms and conditions, the accession to which, on the part of France, would induce his majesty to persevere in a system of neutrality.

4. "That it does not appear that the security of Europe, and the rights of independent nations, which have been stated as grounds of war against France, have been attended to by his majesty's ministers in the case of Poland, in the invasion of which unhappy country, both in the last year, and more recently, the most open contempt of the law of nations, and the most unjustifiable spirit of aggrandizement has been manifested, without having produced, as far as appears to this House, any remonstrance from his majesty's ministers.

5. "That it is the duty of his majesty's ministers, in the present crisis, to advise his majesty against entering into engagements which may prevent Great Britain from making a separate peace, whenever the interests of his majesty and his people may render such a measure advisable, or which may countenance an opinion in Europe, that his majesty is acting in concert with other powers

for the unjustifiable purpose of compelling the people of France to submit to a form of government not approved by that nation."

These resolutions were supported by Mr. Grey, Mr. Adam, Mr. Jekyll, Major Maitland, Mr. Lambton, Mr. Sheridan, and Mr. Smith; and opposed by Mr. Burke, Mr. Jenkinson, Mr. Powys, Sir Richard Hill, Sir Francis Basset, Sir George Cornwall, Sir Henry Hoghton, and Mr. Windham. After which,

Mr. Fox rose to reply. He began with adverting to what had fallen from Mr. Powys. That right honourable gentleman, who had lately chosen to distinguish himself by very particular attacks upon him, had stiled him an advocate for France. If the right honourable gentleman meant an advocate for what was just and right, so far he would allow himself to come under the description: but, if he meant that he entered into the partialities and interests of an advocate, he begged to disclaim the character. The phrase was ambiguous, and the right honourable gentleman, in applying it, knew that it would, and perhaps intended that it should, be taken up by the public in the most invidious point of view. That right honourable gentleman had said, that he rejoiced that the sense of the House was that night decidedly to be taken. If any thing could deter him from taking, as he proposed, the sense of the House, it was this mode of invitation, which was neither decent nor parliamentary. The right which had lately been insisted upon of a majority to know who were those who opposed them, was inconsistent with the usage and privileges of parliament. Mr. Fox next adverted to what a right honourable gentleman (Mr. Burke) had alleged, that, according to his mode of reasoning, every thing which had happened in France was just, and every thing done in opposition to them otherwise; because he had said, that the French were justifiable in declaring war against the Emperor of Germany, who had discovered hostile intentions towards them, he was therefore supposed to approve of all their proceedings in Brabant. Was this a fair conclusion? That right honourable gentleman had likewise stated, that he had adopted new principles of reasoning, and that it was new to state arguments against the country. Now, the arguments which he had stated were directed against ministers. And, was it to be understood, that whenever ministers were blamed, the country was censured? Were we, from our detestation of French republicanism, come to that pitch of triple-refined despotism, that, to arraign the conduct of ministers was to be represented as an attack upon the country? In that case, it would be better at once to shut the doors of that House, and dispense with the form of deliberating, when the substance was destroyed. It

would be better, when a war was declared, to give up at once all the free part of the constitution; and to leave every thing to the absolute and arbitrary decision of ministers. But, had the right honourable gentleman always acted upon the principle which he now wished to establish? Had he not, in 1778, thought proper to arraign the conduct of ministers, while the country was engaged in a war? There was another point on which he wished to touch. Ministers, whom, on the present occasion, the right honourable gentleman thought proper to support, had conceived it proper to make attempts to treat with the French. Why, then, should they escape the right honourable gentleman's censure, while he imputed as so great a crime to opposition the very wish to treat with that nation? Poland, it had been said, was a more remote object; but what sort of political morality was that which represented an object as less interesting, in proportion as it was more remote? Were all the charges of horror to be heaped upon the French, with a view of exciting indignation against them; and was the conduct of the court of Berlin, which was still worse, to be passed entirely by? Were we to deal out our invectives in so large a proportion against the French, while, with respect to the court of Berlin, we abstained from the smallest degree of censure? In that case, political morality, which had never been rated high in the opinions of men, would sink very low indeed! He considered high rank or situation so far from being an extenuation, as affording an aggravation of the offence. Much had been said about treating with the present executive council of France. He would only remark, that in every country you must treat with those who have a power, unless you are bent on views of extirpation. Much, likewise, had been said of the influence of France. Was the influence of France so formidable, and was the influence of Austria and Prussia nothing?—an influence which had been that evening stated to have completely shut us out from the republic of Europe, and to have deprived us of the means of saving Poland, however much we might have been inclined. An honourable gentleman had stated his motion to be insidious, and the reason which he had assigned was, that it partly assumed what had not been admitted in that House, and particularly mistated what had. Now, he would inform that honourable gentleman that his motion had not the smallest connection with any thing that had been stated in that House, nor even could admit of the most distant allusion thereto. It had been asked, how his motion could have any tendency to bring about a peace? An honourable gentleman on the other side of the House, with the candour of youth, had admitted, that nothing could more directly lead to peace than a precise

ground being stated for the war. If the nature of the reparation which we desired was specified, the object was then precise, and, when it was obtained, war was at an end. But if his motion was not adopted, and if gentlemen went away with a doubt of the object which was aimed at by the war, it could not then be known to what length, or under what pretences the war might be protracted. In the course of the debate, one of these pretences was, that the conduct of the court of Berlin with respect to Poland had not been attempted to be vindicated. If Brissot was to be the object of so much invective, was the court of Berlin to be exempted from censure? The more elevated the situation from which crimes proceeded, the more were they to be reprobated, the more pernicious was their example, and the more extensive the mischief with which they were attended. That a high situation should procure oblivion or impunity for crimes, was a maxim which no just, generous, or magnanimous mind would readily admit. He was not acquainted with M. Brissot, whom a right honourable gentleman had stiled the prince of pick-pockets, but he always understood that any objections stated to his character arose only from his public conduct. With respect to M. Chauvelin, he would likewise suggest to that right hon. gentleman to be cautious in admitting accounts, as ground for his invective, which came from persons heated with the most violent personal enmity and political animosity.

Mr. Fox said, he had now finished his task—and could with confidence say *liberavi animam meam.* He had done all that he could do. He had been told that the part he had taken was not popular. No man was more desirous of popularity than he was; no man would make more just sacrifices to obtain it. If the part which a regard to the interests of the country obliged him to take was not popular, it was not his duty to be influenced by that consideration. We had now got into a war; and how best to put an end to that war was the object which demanded their attention. It was their business, treading the old constitutional ground, to come forward boldly with their opinions, in proportion to the importance of the crisis and the dangers of the country, and not to be deterred by the suggestions of timidity, or by menaces of unpopularity. It gave him satisfaction that no one had ventured to come forward to give a negative to his motion, even amidst the general exultation which prevailed among the members of that House, with respect to a war; but that it was to be got rid of by the previous question. He feared—he by no means wished—that this exultation in its event would have a termination similar to that which had been so emphatically described by Tacitus, "*Spe lætâ, tractatu dura, eventu tristia.*"

Mr. Jenkinson having moved the previous question on Mr. Fox's motion, the House divided:

	Tellers.			Tellers.	
YEAS	Mr. Adam, Mr. Lambton	44.	NOES	Mr. Powys, Mr. Jenkinson	270.

So it passed in the negative.

MR. TAYLOR'S MOTION RESPECTING BARRACKS.

February 22.

THE erection of barracks, which had taken place in several parts of the kingdom, though it was not altogether a new measure, was considered by those who remained of, and adhered to, the old whig party, as an unconstitutional expedient, and tending to the establishment of a standing army. Accordingly this day, Mr. M. A. Taylor brought the subject forward, and after adducing a variety of authorities, he concluded with moving, "That the uniform and persevering opposition given by our ancestors to every attempt to erect barracks in this country, was founded upon a just understanding of the true principles of our free and excellent constitution; and that this opposition has been justified and supported by high political and legal authority, whose recorded opinion is, 'That in time of peace the soldier should live intermixed with the people, that no separate camp, no barracks, no inland fortresses, should be allowed; and that a circulation should be thus kept up between the army and the people, and the citizen and the soldier be intimately connected together.*'" The motion was opposed by Sir George Yonge, Mr. Minchin, Sir George Howard, Lord Mulgrave, Mr. Burdon, and Mr. Pitt; and supported by Mr. Fox, Mr. Grey, Mr. Courtenay, and Major Maitland. General Sir George Howard reprobated the bringing forward of questions, day by day, reflecting on the conduct of ministers, at a time like the present. Let them, he said, be supported now, and when the proper time came, let them be impeached if they had acted wrong.

Mr. Fox said, that all his respect for the honourable general, could not prevent him from saying, that the advice he had just given, if the House were to follow it, would prove a complete suspension of the most valuable functions of that constitution which he was so anxious to defend. If, when the country was brought into danger, they were to say, that they

* Blackstone's Commentaries, b. i. c. xiii. p. 414.

would agitate no questions but what ministers chose to agitate, that they were in no instance to examine their conduct, but to commit the whole management of public affairs implicitly into their hands, they would betray the trust which their constituents had reposed in them, they would relinquish the most imperious of their duties, namely, that of watching, and, when necessary, controuling the servants of the executive power, and the practice of our government would be any thing but what it had formerly been, and what he hoped it would long continue. His honourable friend was not to be blamed for the motion he had made. It arose out of the conduct of ministers; and to that conduct, not to the mover of it, was it to be imputed.

He had as high an opinion of the integrity, the honour, and principles of the officers of the British army, as the honourable general; but he would not pay them a compliment at the expence of the constitution; he would not sacrifice to them that jealousy, which it was the duty of the House of Commons to entertain of every set of men so immediately connected with the crown. To the crown they must look for promotion; by the crown they might be dismissed from their profession without any cause assigned; and to the crown they must be attached in different degrees from men on whom similar motives did not operate. This attachment arose from the situation in which they were placed, it applied to them collectively as a body, and was no disparagement whatever to any of them as individuals. To the crown it was said lawyers must look for promotion; the crown could give and take away silk gowns, but the crown could neither give nor take away the fair emoluments of a man's abilities in his profession. The silk gown would bring but few, if any clients, and as few would the loss of it take from the barrister of reputation. The honourable general had said, that he had served nine campaigns abroad, and (what the honourable general would not say) with great honour to himself and advantage to his country. Now, after all his campaigns, and the very considerable emoluments with which they had been rewarded, would the honourable general say that his majesty might not dismiss him from all those emoluments, for no reason but because he happened to differ in political opinion from his ministers, were such a difference ever to take place? If he could not say so, then it was clear that they were held at the pleasure of the king and his ministers, and that such being the situation of all military officers, they were fit and necessary objects of the jealousy and vigilance of the House of Commons; as were, indeed, in a greater or less degree, all persons whatever employed by the crown. Late events had added much to his

jealousy in this respect. They had seen officers dismissed without any reason assigned or assignable, except theoretical opinions, which they were supposed to entertain. These officers had been allowed to receive the price of their commissions. But, was it nothing to be turned out of their profession, on which they had founded all the hopes of their future fortune? Besides, they might not have been allowed to sell, if his majesty's ministers had thought fit so to advise him, and therefore all the officers of the army knew, that they were so far completely at the mercy of the crown, and that men who had shed their blood in the service of their country might be deprived, not only of their rank and their hopes, but of the money with which they had originally purchased their commissions.

While ministers and their friends were praising the constitution, and deprecating innovation, they themselves were introducing a system for the disposition of a standing army, which had been always held incompatible with the safety of public liberty, and always opposed. Was the argument of innovation always to lead one way? When any reform of the abuses of the constitution was suggested, was it to be ever reprobated? When to repair any breach that time had made in the fabric, when to reform any existing abuse in the practice of the constitution was proposed, their answer was, "What! will you meddle with the constitution at such a season as this; will you endanger the whole for the sake of a part, that may safely wait for a remedy till a more convenient opportunity?" When they themselves proposed not reform, but innovation, the answer was the same, "Consider the occasion; will you oppose a measure which the time loudly calls for?" There was not now, it was said, the same reason for being afraid of a standing army, as when William III., a foreigner, was on the throne — an absurd argument in his opinion; but admitting it to have any weight, were we to give up the principles of our constitution, and a most leading one was the jealousy of a standing army, because the king was a native? On his majesty's accession, it had, indeed, been insinuated, that the constitution, at least in practice, was to be very different from what it had formerly been; a doctrine for which he could never see any reason, and which he hoped never to hear revived. Was there not as much reason to be afraid of barracks now as in the year 1740? Was there more cause for jealousy of a standing army, when we were menaced from abroad, and dreaded the invasion of a pretender to the throne? Yet, at that period, the two leading men, Mr. Pulteney and Mr. Pelham, one of whom supported, and the other opposed Sir Robert Walpole, both united in reprobating the

system of erecting barracks, as unconstitutional and inimical to the rights of the people. And they said well; for the mixing the soldiers with the people, by which they imbibed the same principles and the same sentiments, was the best security of the constitution against the danger of a standing army.

But, it was said the soldiers could not mix with the better sort of people to learn their political opinions. It was quite sufficient if they were on a par in their opinions of the constitution with men in the same ranks of society from which they had been originally taken. But, supposing that there were any force in this argument, would confining them apart in barracks give them access to better conversation and better opinions? It was entirely new to say, that the military was necessary to the execution of the civil power. The constitution acknowledged no such auxiliary. For the exercise of the civil power the means were always in force; and the very preamble to the annual mutiny bill, which some people considered as bombastic, expressly stated, that a standing army, in time of peace, without the consent of parliament, was against law. If magistrates neglected to call in the military when their assistance was necessary, they did not do their duty. If there were places where the existing police was insufficient, let means be tried to remedy the defect, but let it not be pleaded as a reason for keeping up a military force; for of all sorts of police, a military police was the most repugnant to the spirit and the letter of our government, and ought to be the last that ever parliament should adopt. It was not true that the building of barracks was acceptable to all the country. There were places where it was considered, not as a benefit, but a grievance. It might be that publicans were glad to be relieved from having troops quartered upon them, but that proved nothing: and if they were all of the same opinion, they ought not to be allowed to sell their permanent security for a temporary convenience.

There were various instances of something like a design on the part of ministers to teach the army to look solely to the crown, without regard to the House of Commons. One of these was the increase of the soldiers' pay last year, without first consulting parliament, and before parliament had met; an increase which the king had no authority to give till voted by the House of Commons. The king had the sole command of the army. Why? Because it was given him by the House of Commons: but it was their exclusive privilege to say whether or not there should be any army, what its number, and what its pay. He was still old fashioned

enough in his notions of government to dread a standing army, and to think that the conduct of it could not be watched with too much caution. He did not clearly understand the argument of the noble lord near him (Beauchamp), who seemed to say, that the standing army of Louis XIV. was the ground of our ancient jealousy of a standing army, and that as France had now an army of another kind, of which she was not jealous, we, as matter of ton, should be no longer jealous of ours. Wishing always to speak with the utmost respect of his majesty, and applying his censure of measures only to his ministers, he would not pay him so absurd a compliment as to say, that the constitution was more secure under him than under his two august progenitors. What motive could then be assigned for being less jealous of a standing army now, than in former reigns? Looking back to the conduct of Sir Robert Walpole as a minister, whatever might be his faults, no man would now accuse him of having ever entertained the thought of trenching on the constitution by means of the army; yet the utmost jealousy of a standing army had subsisted during his administration. Were our present ministers more constitutional than the ministers of those times? Were they more to be relied upon than the men who had a principal share in settling the constitution at the Revolution, and were consequently attached to it from opinion, from honour, and from affection? Were they fitter to be trusted than some of the noble lord's ancestors, who made part of the administration at the period alluded to? Had he in his new zeal to support them, discovered that the manner in which they came into power was better, or their respect for the opinion of the House of Commons greater? He could discover no ground for the noble lord's giving to the present ministers a superior degree of confidence, unless, perhaps, that hope was a stronger principle than gratitude. While we professed to adhere to the constitution, as transmitted to us by our ancestors, we ought also to adhere to the maxims on which they exercised it, one of which was, never to allow the army to become a distinct set of men from the mass of the people, by being separated from the people in barracks.

Next came the argument, that the measures of ministers were not to be questioned, because we are at war. Mr. Pulteney he had never considered as his political model, although he had done on the present occasion what Mr. Pulteney did on the declaration of war against Spain — given his suppor to government in the measures necessary for carrying on the war. But, did Mr. Pulteney, when he made that declaration, tie himself up from inquiring into the particular acts of ministers? So far from it, that whoever would take the

trouble of looking into the journals, would see that the opposition of that time, with more industry and much more success than the present opposition, had brought forward motions of censure on the minister, and divided the House on them.—They said then, as he and his friends said now, "We will support the minister against the foreign enemy, but we will not support him against Great Britain." This erecting of barracks was not a measure of war, but a measure of peace, for it was undertaken before ministers began to talk of war, and it effected this country and no other. From the whole of their conduct there was at least as good ground to suspect them of improper designs as any that the honourable general had mentioned for suspecting him, and those who acted with him. In one point he differed from his honourable friend who made the motion. When the money for the expence of these barracks came to be voted, he should oppose it. He knew he should be told, that the expence was already incurred, and that it would be hard to refuse payment to men who had given their property or their labour on the faith of administration. This was a difficulty which the practice of ministers, in incurring expences without the sanction of parliament, rendered frequent; but difficult and ungracious as it was to refuse to pay, he would prefer doing that to betraying the constitution. If they felt any respect for the Commons, if any for the people whom they represented, they would take care that the people should be free, not in form but in substance, and that such innovations on their ancient maxims, or, if they chose to call them so, their ancient prejudices, were not attempted till their representatives were consulted. He wished not to revive the subjects which the House had already debated; but surely, if the whole country had been alarmed on points still disputable, it was not being too delicate to feel alarm on such a measure as that now in debate, unless they could persuade themselves that a seditious pamphlet was pregnant with every possible danger, but a standing army perfectly harmless. He knew not whether the House had lost its former jealousy of a standing army; he knew not whether the people had lost theirs; but if they had, it was the duty of their representatives to endeavour to revive it; and he should therefore vote for the motion.

The motion was negatived without a division.

Abolition of the Slave Trade.

February 26.

MR. WILBERFORCE moved, this day, "That the House will, upon Thursday next, resolve itself into a committee of the whole House, to consider of the circumstances of the African slave trade." Upon this, an amendment was moved by Sir William Young, to leave out the words "Thursday next," and to insert the words "this day six months," instead thereof. The amendment was supported by Mr. Buxton, Mr. Cawthorne, Mr. Dent, Lord Sheffield, and Mr. Gascoyne; and opposed by Mr. M. Montagu, Mr. W. Smith, Mr. Fox, and Mr. Pitt.

Mr. Fox observed, that the question was, whether that House would now proceed, or at once lay it down as a rule that they would do nothing whatever upon the subject this session, although, after a long discussion, deliberate resolutions had been entered into during the last; although the subject had been in agitation for between five and six years; and although they had from that time gone on year after year, and had, as was natural in the cause of justice, reason, and humanity, arrived by discussion nearer and nearer to the point of truth, and from step to step advanced, until at last they came to a determination, that the slave trade from Africa to our colonies and plantations should cease on the 1st of January 1796. That was the object now before the House. He then called the recollection of the House to the circumstances of the present question, and dismissed all the arguments that had that evening been brought forward on the hardships to which the planters would be exposed on the revival of these resolutions, by observing, that on the bringing forward of the bill by an honourable baronet, (Sir William Dolben,) for the regulation of the middle passage, these gentlemen and their advocates cried out, that if this bill passed, the trade would be ruined. Had that been true, the House would not be debating the subject now before them; as little reliance had the House on the suggestions of these gentlemen with respect to the dangers to the trade from the resolutions of last year; and the question was, whether the House would or would not go into a committee on Thursday upon this subject?

It was said that the abolition should be with the concurrence of the legislative body of our colonies, before it could be effectual. Upon what principle it was that we were to

anticipate their refusing to concur with us, he knew not; nor, if we had no influence whatever over them, and they were determined to thwart our intentions, how far it might be deemed prudent for us, under such circumstances, to continue our connection with them, he would not now discuss; but of this he was sure, that the House had power over the trade of this country, and could say under what regulations it should be carried on, and when it should cease, or how long they would suffer by an acknowledged evil. He adverted to the observation, that this trade was to be abolished by menaces, and maintained that nothing at any time, particularly at the present, ought to be more strongly guarded against, than that of holding out to the public an idea that the proceedings of that House were influenced by the dread of menaces, reproaches, or even the loss of popularity; that their votes were the effect of compulsion, and that the moment they dared to do so, they would rescind them. He trusted to God that the vote of every one who assented to the resolutions of last year, was the result of conviction; he trusted, too, that a vote so much to their honour, and which had entitled them to the applause of all Europe, would not now be abandoned. He said he had heard it hinted, that a time of war was improper for the discussion of this subject. He confessed he did not see the propriety of that objection; at all events, if it was an objection, it was such as would be very well discussed in a committee; and then it might be determined, whether the circumstances of this war were such as to call upon parliament to continue the evil of the slave trade. He should be of a contrary opinion, and contend, that all the arguments upon the danger of tumult and insurrection, would not apply to the present subject. He therefore should advise the House to regard the present as a very fit time to take this subject up, and to shew to all Europe that the parliament of Great Britain never lost sight of the principles of honour, justice, and humanity; that their government was honourable, that their pledge was faithfully adhered to, that while they declared they detested anarchy and confusion, they also loved the principles of real liberty, that they sincerely wished for the happiness of mankind, and revered the rights of nature.

Mr. Fox then observed, that if there were any objections to the late resolutions in any particular part, such objection would come regularly before the committee on Thursday, and could then be argued; for as to the danger of agitating it, he confessed he differed entirely from those who expressed their apprehensions upon that subject; or, if there was any danger in that respect, it must arise from its not being agi-

tated while there was a difference of opinion; agitation was necessary to set that difference at rest. Indeed, he once hoped that the House would not now have had to debate the question at all, and that the abolition would by this time have passed into a law. He should not now pretend to anticipate the discussion of the House of Lords; he hoped, that their decision would be agreeable to the principles of justice and humanity; in the mean time, the House of Commons should not slacken its efforts. If the course of the discussion in the other House should lead to such a length, or should take a turn that would render hopeless the thought of its coming to a conclusion this session, then he should advise the bringing forward of some other measure that might give efficacy to the resolutions, which had for their object the immediate regulation of the trade, independent of the total abolition in the year 1796.

Mr. Fox next took notice of the trial of Captain Kimber, on which so much stress had been laid. He said he could have wished that it had not been alluded to at all, because it was not regularly before the House; but, as it had been alluded to, he would only say, in the most constitutional language he could, that as Captain Kimber had been acquitted, he hoped and trusted that he was innocent, and, as Mr. Devereux was acquitted also, he hoped and trusted that he was innocent; but he believed there were none in that House who voted for the resolutions last year solely upon the representation of the subject which brought Captain Kimber upon his trial; if there were, let such person vote, if he thought proper, against the resolutions in the committee upon this occasion; at all events, the House had no reason for refusing to go into the subject this session.

Upon the point of humanity, which had been so much urged on a former occasion in favour of the West-India planters, he must do the honourable gentleman who originated this subject in that House the justice to say, that he had always allowed to these observations their full force, and that he had admitted the truth of many specific acts mentioned in support of the humanity of these planters; at the same time, he did not see any thing in the nature of the traffic of these planters, or any thing in the spirit of slavery, to induce him to suppose that those who dealt in it surpassed their fellow-creatures in the offices of tenderness and humanity, nor any thing in the nature of absolute power, that was likely to exempt its possessors from the common frailties of our species; or, if these gentlemen had these feelings in so eminent a degree, these resolutions were so far favourable to them, as to set them free from a station so obnoxious.

To return to the point more immediately before the House: he complained of an evil and an abuse which he maintained it was practicable to remove, and, as he had before hinted, if the proceedings of another place should be such as not to give satisfaction, that they would be removed, and that the first resolution for abolition in 1796 should pass this session, then that House should substitute such other remedies as might meet their ideas upon the regulation of the trade between this time and the period of final abolition. Until these points should have been fairly canvassed by argument, he trusted that the House would not pursue a step so derogatory to its own honour and dignity, so unsatisfactory to the public in general, as to relinquish their former opinion, or, in other words, to tell the world at large, that there was no sincerity in their declaration on a former day, that they had completely given up even the gradual abolition of the slave trade, and that they never would resolve upon that measure at this or any other period.

The House divided on Mr. Wilberforce's motion.

	Tellers.			*Tellers.*	
YEAS	Mr. John Smyth Mr. M. Montagu	53.	NOES	Lord Sheffield Mr. Tarleton	61.

So it passed in the negative. Sir William Young's motion, for not going into a committee until that day six months, was then agreed to.

MR. SHERIDAN'S MOTION RELATIVE TO THE EXISTENCE OF SEDITIOUS PRACTICES IN THIS COUNTRY.

March 4.

ON the 4th of March Mr. Sheridan brought forward his promised motion: the object of which was, "That this House will, upon this day s'en-night, resolve itself into a committee of the whole House, to consider of the seditious practices and insurrections referred to in his majesty's speech at the opening of the present session of parliament." After the motion had been seconded by Mr. Lambton, and opposed by Mr. Windham, and the Lord Mayor, Sir James Saunderson,

Mr. Fox said, that from the speech of his honourable friend behind him (Mr. Windham), at least till towards the conclusion of it, he had hoped for a speedy termination of the

debate. He would not say, that he was not much interested in the fate of the present motion, but his anxiety was greatly lessened, from the reflection, that great part of its object had been already obtained; for to have drawn from his honourable friend, now so strenuous a supporter of, and so much in the confidence of the minister, a total disavowal of all those supposed plots and insurrections by which the late alarm had been excited, was undoubtedly a great point gained. His honourable friend had now expressly acknowledged, that no insurrections or plots, in the sense meant by the mover of the present question, had ever existed. But did this agree with what had been held out by ministers? No: plots and insurrections of different kinds, and in different places, had been held forth; a conspiracy had even been talked of for taking possession of the Tower, and the time specified when it was to have taken place. All this, however, was now given up. His honourable friend seemed fond of dealing altogether in generals, and in his support of the present administration, he had adopted the prudent plan of giving up both fact and argument; for he could otherwise give them no consistent support. He complained of being misrepresented when he was stated to have said that he gave ministers his support, because he entertained a bad opinion of them: but he did unquestionably say, that his obligation to strengthen the executive government might become, on that account, the more binding. There seemed, therefore, little ground to complain of misrepresentation. Was it however, said Mr. Fox, or could it be deemed unreasonable, that the denial now given by his honourable friend should be given formally by the House, that they might give a vote of quiet to the minds of the people? This, the fortifications at the Tower, and other circumstances calculated to impress the minds of the people with serious alarm, rendered the more indispensably requisite.

Mr. Fox next adverted to what had been said of the clubs at Cromer, in Norfolk; and urged, that if his honourable friend had been so much misinformed, as he had undoubtedly been, with respect to what happened in a village within two miles of his own house, he should have hoped it might have led him to be more jealous of the information he received as to other clubs and associations. Mr. Fox said, that he and his friends were not obstinate infidels; they desired only to be convinced, and would readily alter their opinion if they saw any reasonable evidence to induce them so to do. As to what had been said by his honourable friend, that no pretext had been held forth by ministers to justify the proclamations for calling out the militia, and for the meeting of parliament, but that they had fairly and distinctly stated the fact; he must

beg leave to observe, that a true fact might frequently be used as a false pretext; and here, by his honourable friend's own account of the matter, the insurrections satisfied at most but the letter of the law; while a cause totally different, and unconnected either with these insurrections or with the purview of the act of parliament, was recurred to in order to satisfy the spirit of the act.

The worthy chief magistrate for the city had observed, that the number of disaffected had decreased in November, but that they now increased. And was not a war the very means of procuring such increase? Mr. Fox now adverted to the proceedings of Mr. Reeves's association in receiving and considering anonymous informations, and transmitting them to government; which he reprobated in the strongest and most emphatical terms, as destructive both of the peace and character of individuals in all probability innocent, and totally subversive of every principle of liberty.

With respect to the present circumstances of the country, Mr. Fox said it was undoubtedly true, that many of those friends whom he highly respected, and with whom he had long been accustomed to think and act, entertained a much greater degree of alarm than he did, and, of course, differed with him in some degree as to the extent of the support which should be given at this time to the executive government. They acted, he knew, on the most honourable principles; and he had the satisfaction also to know, that that temporary disagreement in opinion, on the present occasion, made no difference whatever in the great line of their political principles; in their disapprobation both of the general system of the present administration, and of the way by which they came into office. He said, that the direct lie had now been given to the contents of many pamphlets equally dangerous with any of Paine's books, particularly one, called the Dream of an Englishman, and others; which had been industriously circulated to spread alarm and distress over the face of the country. Was it to be held a justifiable expedient of government to tell the public, that treasons and conspiracies existed, and neither to prosecute nor endeavour to discover the conspirators and traitors? He and his friends might be supposed to speak as if they felt galled upon the subject. He owned he did speak with some such feeling, because he knew it had been confidently said that letters had been written by him and his friends, to persons in France, of a dangerous tendency, and that it was only owing to the lenity of ministers that they were not produced. If ministers were in possession of any such letters, he challenged them to the proof. But he should be told, it was an aukward thing to produce letters opened at the post-office.

To that he should answer, the awkwardness was in opening them at the post-office. It did, however, so happen, that for, he believed, more than two years, he had not had occasion to write a single letter to France, except one to an English friend (Lord Lauderdale) when at Paris. Again he should be told, that he had seen Frenchmen in this country; that he had seen the French minister. He had seen Frenchmen here, and had seen the French minister; but he had yet to learn that it was any crime for him or any gentleman to see the minister sent to our court from any country. He knew of no law by which members of parliament, like senators of Venice, were prohibited from even conversing with the ministers of foreign states. Was it not a situation of the country, horrible to relate, that men's correspondence and conversation were to be pried into with such inquisitorial jealousy, as to make it dangerous for them to commit their thoughts to paper, or to converse with a stranger but in the presence of a third person? Let the House do away all these suspicions and rumours by an honest inquiry, and restore the public to that freedom and confidence, both of writing and speech, which it was the pride of our constitution to bestow, and which became the frank and open character of a free people.

His honourable friend had said, that these plotters against the constitution were only quiet like a gang of house-breakers who had disturbed the family, watching for an opportunity to repeat the attempt: but what would be the conduct of his honourable friend if he were really alarmed by house-breakers? Would he make no inquiry to discover the gang, and thereby prevent them from repeating the attempt? Or would he adopt the spirit of a bill once proposed in that House, in consequence of numerous burglaries, of which Jews were suspectedto be the perpetrators? The tenor of this bill was, that any Jew or suspected person seen looking down an area, should be guilty of death. If the House refused to inquire into the grounds of the suspicions to which they had given the sanction of their belief, they put every person upon whom suspicion fell into almost as bad a situation as the suspected persons under such a bill. A circumstance respecting the secession of some gentlemen from the Whig club had been alluded to, which he could have wished had not been mentioned in that place. The honourable gentleman said he had canvassed for no persons to join him in that secession: but was not the very mode in which he had done it a canvass? He was sure that the honourable gentleman was his friend, because he told him so: he knew that he was the friend of the honourable gentleman; but had he no other proofs but the circumstance just mentioned, and

the publication connected with it, he should not be so presumptuous as to hope that any friendship existed between them. His honourable friend, whom he never suspected of intending to support administration in any other mode than that which he professed, was, perhaps, raising a sort of independent corps, and some might be induced to join it, preferring that mode of quitting their old friends to a more open desertion. But his honourable friend would recollect, that these independent companies, when once raised, were always incorporated with the regular battalions. The operation of fear was not easily calculated, when they saw already that it had made a chancellor. To his honourable friend it had produced only reputation. He was now extolled as one of the very first men in the country, not for those virtues and abilities that well entitled him to the rank, but for his quick sense of alarm, and his perseverance in dismay. When fear could thus confer both profit and reputation, there was no saying to what men might aspire by this glorious kind of magnanimous timidity. Mr. Fox concluded with declaring, that he was still incredulous, and should vote for inquiry; which was never more necessary than when the situation of the country was apprehended to be dangerous.

The motion was afterwards opposed by Mr. Burke, and negatived without a division.

Budget for the Year 1793.

March 11.

THE House having resolved itself into a committee of ways and means, Mr. Pitt entered into a detail of the expences of the current year, and of the means and aid by which they were to be supplied. After Mr. Sheridan and Mr. Drake had spoken,

Mr. Fox said, that he came down to the House not without anxiety, but it had afforded him the most sincere pleasure to learn from the right honourable the chancellor of the exchequer, at the beginning of his speech, that he meant to go on a large scale, in providing for the vigorous prosecution of the war in which this country was actually engaged; and he also approved of reducing the unfunded debt; but it was surely rather singular, that while the right honourable gentleman was proposing to pay off 1,500,000*l.* of exchequer bills, he was at the same time to issue exchequer bills to that amount on a vote of credit. He most sincerely wished that the right

honourable gentleman, instead of speculating as he had done, had deigned to follow the advice which he had given in the last session, as to paying off the 4 per cents. Had he done so, and paid off the 4 per cents when at 95, a permanent resource of no less than 240,000*l.* would have been gained to the public. Mr. Fox expressed, in strong terms, his surprise and alarm at that part of the right honourable gentleman's speech, where he spoke of our entering into numerous alliances with foreign powers, besides those in which we were now engaged. He anxiously wished to be informed what alliances were meant, as he dreaded much our being led into dangerous and improper engagements for the prosecution of the most unjustifiable purposes. It must surely appear rather singular to bring forward, as a new and unforeseen resource, that which might arise from a continuation of the temporary taxes imposed for defraying the expences of the Spanish armament. This must have occurred to every body; and the continuing these taxes after the period of their expiration, was, in fact, the same thing as imposing new taxes; though he did not mean to say that it was not better to continue taxes already existing, than to lay on the people any burden which they had not hitherto born. The right honourable gentleman had assumed to himself much credit from refraining to say any thing on the flourishing state of our finances, in the discussions with respect to the war. He sincerely wished that a similar conduct had been followed on the present occasion, as it appeared to him not less improper to bring forward any declaration or observations as to the nature and objects of the war in a discussion with respect to finance. To do so, besides being improper, he thought perfectly useless; for, if the war was so necessary as had been represented, involving in it every thing that was dear and valuable to this country, no matter what our situation in point of finance, no object of that kind could have prevented our engaging in it; on the other hand, however prosperous and flourishing the situation of our finances, if the war was not necessary, that surely could be no argument for engaging in it.

After the various discussions on the subject of the war that had taken place in that House, it seemed singular that the right honourable gentleman should suppose that he could, by declamation, add any thing to what had been already said; he had said that he had heard of wars for honour, and wars for religion; and had asked, if ever there was a war in which both honour and religion, and every thing dear to a nation, were so deeply implicated? a mode of reasoning specious enough to impose upon some people. But the answer he would give to it would be this — Can we gain more by the

event of war, than might, in all probability, have been obtained by negociation? The relinquishment by the French of their conquests, the explanation or repeal of their offensive decrees, the safety of our allies, all these he thought, in the situation of this country, might have been procured by negociation. He should be told, however, that supposing this to be so, what security could we have for the performance of these engagements on the part of the French? What better security, he would ask, could we have after the war? Unless, indeed, we were going to war, not for the purpose of forcing France to relinquish Savoy and her other conquests, or of preventing the increase of her power; but for the purpose of interfering in the internal affairs of France, and of substituting, in room of the present, a new government, in which we might place greater reliance. This purpose of the war had been approved by some persons: but had been uniformly and explicitly disavowed by the minister, and was so, in the clearest and most express terms, at the time he brought down his majesty's message respecting the war. The language now held, and the declamation they had heard that day, called for a distinct explanation upon this most important point. The right honourable gentleman had asked, why should war diminish the revenue? But, were not flourishing commerce and manufactures the greatest support of the revenue? Did the right honourable gentleman mean to say, that the manufacturers of this country would not be injured by war? Had he had any information of late from Manchester, Paisley, Norwich, and other places, which had induced him to form this opinion? If so, Mr. Fox declared that his information had been directly the reverse: but this would not certainly operate in any degree upon his mind, did he conceive the honour and dearest interests of the country to be implicated in the war to the extent which had been represented. As the subject of war would not probably be again debated, he thought it right to say that he remained of opinion that it might have been avoided; and when the right honourable gentleman talked of the prosperous state of this country last year, he could not but still more condemn the putting that enviable prosperity to risk without negociation.

The right honourable gentleman by his declamation had drawn from him thus much; and he could not conclude without saying a few words on the subject of our East-India affairs. He had not yet given much examination to the papers laid before the House relative to that business, but he had bestowed some consideration on it, and he still wished for a great deal of information. He joined with his honourable friend in being averse to taking at present the 500,000l. stated as a

resource arising to this country from the revenues of India. The renewal of the charter of the East India company was the greatest commercial question that had ever been considered by the legislature of any country. It involved a variety of objects of such magnitude and importance, that, in competition with them, even this 500,000l. ought to be considered as nothing. He thought it, therefore, highly improper that the discussion of such a subject should be cramped or fettered in any shape. True, the right honourable gentleman had said that, by taking this 500,000l. at present into calculation, the House would by no means be pledged to a renewal of the East India company's charter; but he had also said that the House would not surely adopt any regulations with respect to India, from which the public would not derive at least an equal profit. If the House was to proceed on this ground, there could be no fair discussion; for whatever advantages, either immediate or eventual, and of how great importance soever, might appear likely to arise from opening the commerce with India, if a revenue of 500,000l. should not be immediately derived to the public, they would be stopped by the *postulatum* which had been now laid down. For his part, he could never think it right or prudent to go into the consideration of a commercial question of such immense magnitude cramped in the outset by a *sine qua non* of this sort. To him the whole business bore much the appearance of ministers having taken upon them to pledge that House and the public to a renewal of the company's charter, in a manner disgraceful to the country; and since the publication of the speech of another right honourable gentleman, (Mr. Dundas,) the opinion universally entertained was, that a renewal of the company's charter was absolutely determined on. He did not say that he had made up his mind as to the propriety or impropriety of renewing that charter; but it was a matter which ought certainly to be decided upon with the greatest deliberation, and gentlemen ought to come to it with their judgments and opinions totally unfettered and unbiassed.

March 15.

The House being in a committee of supply,

Mr. Fox said, that his support of the war now that we were engaged in it, was as sincere as that of his majesty's ministers, although on very different grounds. He wished it to be supported with vigour, because by a vigorous war, we should the more speedily obtain adequate and honourable terms

of peace. Of those terms he had formed a clear and definite idea: ministers had not, or at least had never condescended to state any idea on the subject to the House. He certainly did not think supporting the neglect or the blunders of ministers the best mode of supporting the war: for he knew, that they, and all other ministers, would do their duty better by being carefully watched than implicitly trusted. Let the minister shew that there would have been any danger in sending 2000 men to Holland in the beginning of February, instead of keeping them till towards the end of it, and then his argument might be good for something. Would he call to his aid those plots and insurrections which had been so much talked of, but never seen, as a pretext for three weeks delay? Those plots, he imagined, had done their duty, and were dismissed from the service, to be pressed into it no more. — Though he had objected to the war in the strongest terms, he wished, as he believed every gentleman did, that it should now be carried on with vigour; he only regretted, that the conduct of a war so interesting to this country, should be in the hands of men who had, on every former occasion, as well as on the present, proved themselves totally unfit for so very important a trust. The right honourable the chancellor of the exchequer had talked in a high strain of his consulting the recesses of his own mind, and seemed to think, that on an occasion like the present, it was the duty of every member of that House to trust implicitly to the conduct of his majesty's ministers. Mr. Fox said, he viewed the subject in a light very different. He believed that the country had a far better security for the good conduct of ministers when they were closely watched, than when they were blindly trusted. Such, Mr. Fox said, was his opinion; and a retirement into the recesses of his own mind, for an examination into the principles of his conduct, would only afford him fresh sources of satisfaction.

Traiterous Correspondence Bill.

March 15.

WAR having been declared against France, it was deemed expedient to prevent all correspondence between British subjects and the hostile party. To render this prohibition effectual, the attorney general Sir John Scott moved this day for leave to bring in a bill more effectually to prevent during the war, all

traiterous correspondence with, or aid and assistance being given to, his majesty's enemies." The law of treason was founded upon a statute of the 25th of Edward III. which had been the subject of legislative exposition in different laws, enacted since that period. The acts declared treasonable in that statute were principally reducible to two heads; to compass, that is, to intend or project the king's death; to levy war against the king, and to abet or assist his enemies. Since that period, during wars, parliament had repeatedly passed laws which applied the general principle to the existing case; by specifically prohibiting adherence or assistance to nations at enmity with our sovereign. Agreeably to the original statute, and the consequent explanatory acts, the present bill was framed. Former laws had in such circumstances, prohibited British subjects from sending military stores, arms, ammunition, and provision, of various enumerated kinds. The present bill, besides interdicting these articles, prohibited purchases of French funds or French lands. The reason of this prohibition was, that as the French government proposed to carry on war against this country by the sale of lands, British subjects, if allowed to purchase such land, would not only feel an interest in the property which they had thus acquired, but furnish the enemy with the means of carrying on war against ourselves. It was further proposed, that no persons should be allowed to go from this country into France without a licence under his majesty's great seal, and that their neglect of this clause should be deemed a misdemeanour; and that no persons, though subjects of this country, coming from France, should be allowed to enter this kingdom without a passport or licence, or giving to a magistrate such security as he should require. The last regulation was to prevent the insurance of vessels which should traffic with France. As soon as the attorney general had moved for leave to bring in the bill,

Mr. Fox declared, that he could not omit even this first opportunity to express his disapprobation of a bill, the regulations of which he regarded as useless, unjust, and impolitic. If the honourable and learned gentleman meant to say, that there were doubts to be removed on the law of treason as it stood, that many points in that law were not well understood, and that the subjects of this country might, without knowing it, incur the penalties of the law; if the gentlemen of the long robe, notwithstanding their great learning, said, that still to them this law was doubtful, it ill became so unlearned an individual as himself to say, that a bill to explain that law was not necessary. But he who had never before heard of those doubts, had no reason till now to think that law obscure, and therefore could not feel the necessity of a bill to explain it. However, if he was deficient in knowledge upon that subject, he must allow, of course, that a bill might be necessary for the purpose of explaining the

law, and then the question would be, whether the provisions of the bill now opened conformed to that intention. To him they appeared of a very extraordinary nature. The first part that struck his mind was, the restraint upon the purchase, by any subject of this country, of any land in France. The bills to which the honourable and learned gentleman had alluded upon that head as precedents, were not in his mind very highly deserving of imitation; for in this, and every other country calling itself free, he had always held, that property was in the highest degree entitled to the protection of the law; and if so, there could be no doubt but the power of disposing of it was to be considered under the same protection; both of which were violated by the present bill.

The second ground upon which the bill proceeded was, that the possession of land in France, by any of his majesty's subjects there, might become hostile to the interests of this country. Should the learned gentleman not have stated some specific inconvenience that this country had felt by any of its subjects having possessions in other countries? British subjects had had from time to time many such possessions, and no evil, that he ever heard of, had hitherto resulted from that circumstance: he was firmly convinced, that nothing at this moment could be more dangerous than holding out that idea, and that there was not any thing at the present that made it appear more dangerous to have such possessions than at any former period. Indeed, he never expected to hear a proposition maintained in any part of the world, least of all in Great Britain, that we should not subscribe to loans, or engage in the funds of any country; or that those who were at war with us, were not to have their property considered as sacred. The direct contrary had hitherto been the rule; and it had been always held out, that property of every kind was secured to the use of its possessor, as well during war of any kind, as in times of the most profound peace? Something to the reverse of this had been started and proposed during the American war, respecting property held in Pennsylvania; but the minister of that day rejected with disdain a proposition so unjust and impolitic; observing, that the sacredness of the possession of property being the basis of a free state, the honour, and ultimately, the safety of the kingdom, might entirely depend upon that principle. This was wise, as well as honourable. But this principle was totally destroyed by the spirit of the present bill. Nevertheless, if we looked at the interest of this country, independent of any other consideration, he was convinced that we should not be so rash as to stop the intercourse between this country and France with respect to the purchase of lands, or the investing

of money in the funds. Had we lost all sense of the advantage to be derived from keeping that open? Was it likely that much of the money of the people of this country would be laid out in purchases in France? Or was it not rather more probable, that many of the people of France would make purchases with us? We had always encouraged foreigners, even in time of war, to deal in our funds; and we had always held their property sacred: and he would ask, whether encouragement afforded on both sides to deal in the funds, would operate most in favour of this country or of France; of that which had most, or that which had least credit? Was it to be supposed, that men would be so blind to their own interest, as not to perceive and avail themselves of this advantage? But these considerations would be defeated entirely by the present bill.

The next provision of this measure went to declare it treason to supply the French, or any in alliance with them, with arms. If that part of the law was to be thoroughly revised, perhaps he might have something to offer to the attention of the House upon that subject; but, considering all wars of late years in Europe as contests of revenue, rather than of arms, he questioned whether it would not be of advantage to this country to trade with its enemies, and perhaps to sell to them even articles of arms, whilst we had prompt payment, at our own price, for them. With respect to the prohibition of Englishmen going to France without a passport, as described in the bill, he should pass it by, as he considered it as the least exceptionable clause. But as to the provision against Englishmen returning to their country, it was monstrous enough to make the learned gentleman himself afraid of stating it. It was giving a power to the king to banish, during the war, every British subject now in France. But, it seemed, he had the power of returning in certain cases, by giving security and what not for his good behaviour. Who was to be the judge of the amount of that security? This was to be left to a magistrate. Here again, a man was to be put under the discretion of another person, who might render his return impossible by exacting security to an amount that could not be given. If one man was to be at the discretion of another in the dearest of his rights, that of living under the government and partaking of the advantages of the constitution of his native country, he must ask, upon what principle it was, that we were daily congratulating each other, and praising our laws to foreign nations? Where was the foundation of our boasting, if an English subject, the most meritorious English subject, — and because he was meritorious he stood a great chance of being obnoxious

to his majesty's ministers, was to be at the mercy, whim, or caprice of any creature of the crown, who had the power to say to him, without assigning a reason, "You shall not come over to this country, because I do not chuse you shall come."

As to the insurance of ships belonging to France, the question did not involve any principle; for the preventing of Englishmen from paying the losses of the French was right enough; but he wished to know of what utility the prohibition would be. The truth was, that the premium was always more than equal to the risk, and the balance was in favour of the underwriter. If, for instance, out of one hundred insurances, the profits of the premium was much more than the loss at the expiration of the policy, then England would have gained, and France would have lost. Why, then, he must say, that he did not see the reason for this restraint upon trade. But, however, he had less objection to this clause than he had to many of the others, because it appeared to him to be merely foolish. He ridiculed the attorney general's definition of the word correspondence, and thought that the people of this country needed not to be told, that, if they entered into any agreement with the enemies of the state, to perform any thing that tended to its injury, they were amenable to the law. However, if the learned gentleman thought the people of this country were so ignorant of their duty to the state, it was kind in him to tell them what they were liable to in cases of neglect or positive offence. Mr. Fox concluded with saying, that the whole of the bill, as opened by the learned gentleman, appeared to him entirely unnecessary, many parts of it repugnant to the common principles of justice, some of them foolish, and he believed it brought forward with no other view than to disseminate through the country false and injurious ideas of the existence of a correspondence between some persons and France, and alarms of dangers where there were no dangers at all; and therefore it should meet with his decided opposition, even in that early stage.

The motion was also warmly opposed by Mr. Erskine; leave, however, was given to bring in the bill.

March 21.

This day the bill was read a second time, and on the attorney general's moving that it be committed to-morrow,

Mr. Fox expressed his surprize that the learned gentleman should wish to carry, with such precipitation, through the House, a bill which, he did not hesitate to say, was an attack upon the fundamental liberties of Englishmen, and a measure equally ineffectual, impolitic, and tyrannical. An honourable gentleman had differed from him on this subject, but had been so candid as to say, that those who now opposed this bill had, ever since the year 1783, maintained the most constitutional principles. It was an adherence to these same principles which made them now express their disapprobation of a measure which every good whig, as a whig, must heartily reprobate. Time ought to be allowed for discussing it; the precipitation with which he saw it was now to be hurried through the House could answer no other end than that of preventing discussion. A law of no less import than that of preventing Britons from returning home to their country, was, without time for consideration, to be committed the next day. Why? — for no other purpose than that of hurrying it through the House before the recess. It was, he said, to be committed to-morrow, reported on Monday, read a third time on Tuesday, carried to the Lords on Wednesday, and on Thursday the recess commenced; so that even by that method it could not be done, and those who attempted it only committed a useless act of indecency. He trusted that gentlemen on the other side of the House would not be quite so precipitate, but would allow some little delay. The bill affected the nation at large: it was fit, therefore, that time should be given for the people to express their opinion upon it; and he believed that that opinion would be found to be extremely unfavourable; for, by what he could learn, no bill had ever been brought into parliament which was more unpopular, as far as it yet reached. In short, he considered it to be such an encroachment on the rights of the people, and such a degradation of justice, that the House should wait for the sense of the country. — He declared that there was not a single clause in the bill to which he would not, in the committee, give his dissent, unless he should find something stronger in favour of the clauses than had yet been advanced. To the clause for making it necessary for Englishmen to procure passports from the secretary of state, to return to their own country, he was determined to give the most steady opposition; for by that clause Englishmen would find themselves placed in the most degraded situation, when obliged to ask a secretary of state's leave to return to their country and their homes. For his own part, he should despise himself if he could silently suffer himself to be placed in a situation in which he should be obliged to apply to a servant of

the crown, as a favour, for leave to return to England, or to his own house.

March 22.

The House went into a committee on the bill. The solicitor general having moved, " That the consideration of the preamble should be postponed till the different clauses of the bill should be gone through,"

Mr. Fox said he was happy to hear that the gentleman who brought in the bill began to think that it was not perfect, and that it might want some modification. For his part, he thought the provisions of the bill to be such as ought to meet the detestation of the people of this country. He should attend to whatever modifications should be offered; but the best modification he knew would be that of expunging all the clauses out of the bill. He said he wanted to prevent the progress of a bill, which the imagination of man could hardly think of without astonishment — a bill which, perhaps, was never equalled in the despotism of its principle; and he knew that those who brought it in could not, without considerable vigilance from others, be prevailed upon to pay any attention to the constitution of this country. He insisted, that before a proposition so new and alarming was acceded to, it should at least be justified by a clear proof of an urgent necessity. An honourable gentleman (Mr. Anstruther) had quibbled on this preamble in a most extraordinary manner, and had been obliged to state it unfairly in order to support his deduction. He had asked, whether it could be denied that it was expedient to prevent corresponding with his majesty's enemies, &c.; but the words of the preamble were, that " it is expedient more effectually to prevent such correspondence," &c.; and he would ask, on the other hand, whether, without any knowledge of the insufficiency of the existing laws, or of any dangerous and extraordinary urgency, we should think it right to go on to the enacting of such dreadful provisions as some of those which composed this bill? Gentlemen talked of what had been done at the revolution: let them follow the example of those who acted at that time, by shewing evidence of the necessity of the present measure. He could not agree with much that he had heard that night; for, upon the principle now asserted, if a handful of men, however insignificant, or however small in number, should happen to entertain opinions subversive of the established constitution, this alone would be held sufficient to justify the invest-

ing government with the most arbitrary powers, though there existed, in fact, no real danger. An honourable gentleman (Mr. Hawkins Browne) had said, that, if he were a jacobite, he would not take the part even of his favourite monarch, if imposed on him by the power of France. For his part, if the constitution which he so much venerated was to be destroyed, he did not care whether its overthrow should come from France, or originate at home: he would support ministers in carrying on the war, but he would not agree to undermine the constitution; and he could not give his concurrence to the proceeding one step farther in the present bill, without evidence of some great and urgent necessity. It had been hinted, that inconveniencies had arisen during the American war, from improper intercourse with the enemy; for his part, he had never before heard of it, and he was sure no such thing had ever been proved. He believed that, during the war which begun in 1756 and ended in 1763, less restrictions had been imposed than in any other war, and he would submit it to gentlemen, without any observation, whether this had been attended with any bad consequences.

April 4.

The House being again in a committee on the bill, the clause which went to prohibit the return into this country of any of his majesty's subjects without his leave, being read for the purpose of negativing the clause, Mr. Whitbread said, he thought the clause so detestable, that even in its death he could not help taking notice of its character; he could not allow it the benefit of the old charitable sentence, *de mortuis nil nisi bonum*; on the contrary, he should apply to it the lines written on a tombstone,

"Lie still if you 're wise,
You 're damn'd if you rise."

But this was not all; he had a question to ask the solicitor general, and it arose out of this clause, although it was to be negatived. The reasons assigned by the gentlemen who brought in this bill for negativing this clause, made his question necessary. They had insinuated, that the clause was not strictly necessary to the purpose which it tended to support, as his majesty by proclamation could order what was necessary for the safety of the state. A proclamation had issued to that effect, forbidding, for a time, subjects of this country from returning into it, under certain restrictions. He wished to know of the solicitor general, whether the king was empowered by law to issue any proclamation, forbidding the return into this country of any one of the subjects

of it not convicted of a crime? Had the King of England the power, by law, to hinder the return of such a man to his native country? The question he thought necessary to be determined before the clause now before the committee was negatived, because they should take care upon that negative not to give an oblique sanction to a principle of tyranny, much more dangerous even than the effect could be of passing the clause itself: he had heard that a proclamation to this effect had passed with regard to certain persons lately arrived from France at Dover, but he had not read it; he wished to know whether the law officer of the crown would say, that such a proclamation was warranted by the law of England? — The solicitor general said, that with respect to the legal point to which the honourable gentleman had alluded, certainly his majesty had a right to make a regulation upon the general policy of this country.

Mr. Fox took fire at these expressions, and, in a strain of uncommon animation, proceeded to refute the principles which they appeared to him to support. He said, that he had, ever since he thought upon the subject, wholly and entirely misunderstood the law, if the king had the power, which the answer of the honourable and learned gentleman insinuated. If the king had the right of preventing any person from returning to this country, under the specious mask of regulating its general policy, he had in fact the power of expelling from his native land for ever any person he might think proper. He knew, in fact, the king had no such power; and therefore it was that he rose to make these observations, and with them to defy any man in that House, or any man in this world, to prove, that the King of England had by law a right to say to any subject not convicted of an offence against the law — "You shall not return to Great Britain without a passport from me." If the king had ever, if the king should ever, issue a proclamation to that effect, he would say and maintain, without the least fear of the colour of refutation by argument, that such a proclamation was and would be irregular, illegal, and highly unconstitutional. He believed, that if the transaction alluded to, and which happened at Dover, should ever be fairly canvassed, it would be found to be a shameful violation of the law of this country, and a revival of the principle of the clause which had just been read, — a principle which would, to a certain degree, attach shame, scandal, and disgrace on that House, for having once given to it the colour of a sanction, by giving leave to bring in a bill which contained a clause to favour it. "The king had a right to regulate upon points of general policy in this country." Had he, indeed! Had he a right to say to an Englishman, "You shall not return to England without my passport?" If he had, then it was high

time to examine into the expediency of suffering such a prerogative to continue — high time to enquire whether some means could not be devised to limit the extent, and regulate the exercise of that prerogative. But, said Mr. Fox, I am sure he has not, and never ought to have, and never will have, unless this House shall scandalously neglect its duty; but I wish the solicitor general would have the goodness to explain what he meant by those ambiguous words which he gave in answer to so very plain a question, and that he would not leave us under so just a terror for the fate of the constitution of our country.

In answer to Mr. Pitt, who defended the expressions of the solicitor general,

Mr. Fox rose again and maintained, that the words of the solicitor general tended in effect to convey to the House the most odious and detestable principle, and such as he was sure did not belong to the constitution of this country. He would say they were material words, for the words of any high law authority in that House were always important, and would be dangerous, if not refuted when they were wrong, because they would form, as it were, a sort of precedent by acquiescence; they were words at which he was justly alarmed, when he compared them with the plain question to which they were an answer. "I say," said Mr. Fox, "I am justly alarmed when I hear such sentiments from such a quarter, for it is not his own opinion merely that the learned gentleman is speaking. I say that I am justly alarmed for the liberties of the country, when such exploded doctrines upon the king's prerogative are attempted to be revived; doctrines, to explode which the best treasure of this country was expended, and the purest blood shed." He said, he was sure that the observation of the learned gentleman upon the king's prerogative was worse than the clause which he gave up — a clause which he would have had gone out of that House with the stigma that belonged to it; but the clause was to be superseded by doctrines worse than its contents. At these attempts it was high time to be alarmed.

The clause was negatived.

April 8.

The House having gone through all the amendments made in the bill by the committee, Mr. Adam said, he would then pro-

pose a clause, of which he had given notice on a former day. By the law of high treason in general, every person accused of treason was entitled to be heard by counsel on questions of fact as well as of law; to have a copy of the indictment, and a list of the witnesses ten days before trial; by the same law no person accused could be convicted unless the overt act of treason was proved by two witnesses. But parliament having made the counterfeiting of the king's coin, the great seal, &c. high treason, had made a distinction between treasons of that description, and treasons against the king's life, or making war upon him, or adhering to his enemies: for a person accused of counterfeiting the coin, for instance, though charged with high treason, was not entitled to a copy of the indictment or to a list of the witnesses, nor was it necessary that the fact should be proved by two witnesses, nor was counsel allowed to speak in behalf of the prisoner, except a question of law should arise. The ground for this distinction was, that the latter kind of treasons did not work a corruption of blood, or a forfeiture of the estate, of the party convicted; and as the punishment was the less severe, so the aids allowed to the accused for making his defence were also less. Mr. Adam laboured to shew that the distinction did not apply to the acts which were to be made treason by the present bill; for they were such as might be considered as coming within that branch of the statute of the 25th of Edw. III. relative to "adhering to the king's enemies," and consequently a person brought to trial upon the present bill, was, in point of reason, intitled to all the aids which were allowed by law to persons making their defence against a charge of high treason. But these aids, it seemed, were to be denied under the present bill, for this reason, that it was not to work corruption of blood, or forfeiture of estate; but the reason did not appear to him to be a sound one, for the House must know, that by the 7th Anne it was enacted, that corruption of blood and forfeiture of estate should no longer be the consequence of a conviction of high treason, after the death of the then pretender to the crown. By the 17th Geo. II. the period when corruption of blood and forfeiture should no longer attach upon treason, was removed to a more distant time, and was to take place at the death of the two sons of that pretender. One of these, it was well known, had died a few years ago; the other, who was Cardinal York, was an aged person, and at his death, which could not, in the course of nature, be very distant, all corruption of blood and forfeiture for high treason were by law to cease in England. And yet, after that period, a person accused of high treason would be still intitled to all the aids which he had already mentioned; so that it could not be said that those aids were allowed by law, merely because the corruption and forfeiture of estate were consequences of a conviction on a charge of high treason. Mr. Adam argued to shew that there was no analogy between the act of counterfeiting the king's coin, and, for instance, remitting money to France during the present war; it was true, that after the passing of this

bill, these two acts would in law amount to high treason, yet the latter alone could be said to partake of the nature of treason, as it argued an adhering to the king's enemies; and the former was allowed by all able law authorities to be rather a species of fraud, and what was called the *crimen falsi*, than high treason; and to have been called treason, only because it was an act in which the public had a concern. As, therefore, these treasons differed widely in their nature, a distinction, he contended, might well be expected in the aids to be allowed to persons indicted, as to the means of their defence. On these grounds he would move for leave to bring up a clause, the object of which was to extend to persons who should be tried under this act, the indulgence allowed by the 7th William III. and 7th Queen Anne, to persons accused of high treason, under the 25th of Edward III.—The attorney general opposed the admission of the clause: he said it went to open a very wide discussion indeed, namely, whether all those aids which the learned gentleman had enumerated, as granted by law to persons accused of high treason, should also be allowed in cases of felony; for though counterfeiting the king's coin, for instance, was in name high treason, it was, as to its effects upon the blood and property of the convict, no more than felony. If the proposed relief was proper in this case, he saw no reason why it ought not to be extended also to those who should hereafter be accused of felony.

Mr. Fox expressed his surprise that the learned gentleman should have confounded two things, which in their nature were widely different. A copy of the indictment, a list of the witnesses, and the aid of counsel in matters of fact as well as law, were allowed to persons accused of high treason, but not to persons accused of felony; the reason of the difference was obvious; prosecutions for felonies were usually brought by private individuals, who could not be supposed to have any extraordinary influence with either judge or jury; but prosecutions for high treason were always brought by the crown; the aids, therefore, which the law allowed to a person accused of treason, were so many shields given to him to defend himself, and prevent him from being overborne by the weight, or influence, or passions of the chief magistrate or his ministers. These shields must, of course, on this principle, be as necessary in a prosecution on the present bill, as in one on the 25th of Edward III., as in both cases it would be carried only by the public accuser at the command of the crown. It was allowed that at the death of Cardinal York all treasons would be precisely on a level, as far as they affected the inheritable quality of the blood, and the property of the person convicted; what a miserable thing, then, must it be to say, that in a prosecution for an act done against the present bill, a man should be refused a copy of his indictment, and the other aids al-

lowed by law in cases of high treason, merely because the aged cardinal had not yet paid the debt of nature! He was glad, he said, that the penalty under this bill was not to be greater than that to which persons were subjected who were convicted of counterfeiting the great seal; but, on the other hand, he feared that this seeming lenity was not what it appeared to be, the child of mercy; he apprehended that its object was to facilitate the conviction of the accused, by taking from him the means of defence, which he might claim as his right, if the bill left the enumerated acts within the statute of the 25th of Edward III. These acts might be considered as proofs of an adherence to the king's enemies, and consequently came within the species of treason on which corruption of blood attached; but, by classing them under the head of treasons which did not operate a corruption of blood, the framers of the bill had contrived to take from the accused the means of defence, under the appearance of lenity. Of all the characters of cruelty, he considered that as the most odious which assumed the garb of mercy: such was the case here; under the pretence of mercy to the accused, in not charging him with corruption of blood, he was to be deprived of the means of making his defence. That he might not stand a chance in the contest, his shield was to be taken from him. The list of the jury, to give him the benefit of the challenge—the list of witnesses, to enable him to detect conspiracies and to prevent perjury—the copy of the charge ten days before the trial, to enable him to prepare himself for the awful day—the assistance of a learned gentleman to speak for an unlearned man—all the arms and means of protection with which the humanity of the law of England had fortified an individual, when accused by the crown, were to be taken away. Harshness and severity were to be substituted for tenderness and compassion; and then he was to be insulted by being told he was spared the corruption of blood! But, really, it seemed to him as if some gentlemen thought there ought to be a law for the facility of conviction of high treason; and if so, why did they not speak out boldly, and alter the preamble of the bill, and word it to this effect—"Whereas by allowing prisoners lists of evidence and juries, copies of indictments, and other means of defence, it has been difficult to convict them, be it therefore enacted, &c." He said, he should, on the third reading of the bill, have another opportunity of opposing its principle, a principle which would appear somewhat less tyrannical if the proposed clause was admitted, but which must be still more odious if it was rejected.

The clause proposed by Mr. Adam was negatived by 110 to 32.

April 9.

On the motion that the bill do pass,

Mr. Fox said, that as in every stage of this bill he had entered his protest against it, he should conceive himself wanting in his duty to himself and to his constituents, if he now suffered it to pass in silence. He therefore was ready to declare, that in the course of his parliamentary life he had never seen a bill so unfounded in policy, and which was contrived so effectually to violate every principle of justice, humanity, and the constitution, as the one in question. The right honourable the chancellor of the exchequer [illegible] defending it, confounded two things, in their nature the most distinct, the principle and the pretext of the bill. He had said, that the principle must be unobjectionable, because it was to prevent supplies of military stores and other necessaries from being carried to the enemy; but this was the pretext for bringing in the bill, not the principle on which it was founded. The bill was much better calculated for entrapping individuals, than for guarding them against the perils of high treason.

Mr. Fox said, it would be discovered that they who opposed the bill were, in truth, the sole persons who endeavoured to thwart the designs of our adversaries, while its supporters were giving every advantage to our foreign foes. But on the grounds of its impolicy he did not now mean to argue. He recurred to the principles of justice and humanity, which were superior to all policy, and on which alone true policy could rest. In the introduction of this bill, it had been said, that part of it was declaratory of the old law, and part of it contained new enactments. But, we were now told, that all of it was both declaratory and new; and by this sophistical quibbling, the understanding was confounded, and gentlemen were at a loss what opinion to form, or upon what ground to proceed.

The first clause was merely declaratory. It did not abrogate the statute of the 25th Edward III. It did not make that not to be treason which before was treason, under pretence of defining the law of treason; it served as a snare to entrap the unwary and inconsiderate. It would have been more proper, more candid, and more just, openly and specifically to have stated, whether sending cloth to France was or was not treason. This might easily have been done by an express clause for the purpose; whereas, according to the present existing

law, if the bill should pass, these clothiers would still be liable to the penalties of the old law, without the possibility of their knowing whether they were guilty or not, and at the same time rendered obnoxious to a severer punishment than that which the present bill inflicted. He could not repeat the arguments he had formerly adduced against the first clause of the bill. By the wording of it, however, he could not help again observing, that the mere agreement to commit an offence, and the offence itself were put upon the same footing, and liable to the same consequences. Inchoate crimes were classed in the same degree of enormity with those which were completed; and, by this confusion, every rational doctrine of criminal jurisprudence destroyed. Although a verbal agreement for a lease of above three years, and for a sale of goods above the value of ten pounds, was declared absolutely void by the statute of the 29th Charles II., because of the ease with which perjury in these cases might be committed, yet this bill wantonly exposed the life of an individual in cases where perjury might be perpetrated with equal facility. The former wise statute would not permit the fortune of a man to be injured by such means; the present bloody bill exposed his life to destruction in similar circumstances. This was, indeed, a sanguinary part of the clause; and late as the stage of this bill was, he trusted the House would still recede from it, covered with shame and confusion for having entertained it so long.

There was another clause in it, which was also sanguinary, but which was, if possible, more absurd than sanguinary; it was that which made it death in an Englishman — to do what? To return to his native country! An Englishman might go to Ireland, and there agree, without guilt, for the purchase of an estate in France; he might go to Hamburgh, and there make a like agreement, and that would be only an inchoate crime: he might pay the purchase money, and by his attorney take possession of the estate; all this would not amount to high treason; but should he after this, return to his native land, this return would consummate his guilt, and bring upon him the penalties of treason. Some gentlemen might think such a clause as this without a precedent; but, in fact, it was not, it was stolen from the national convention, where the most arbitrary laws were enacted for ascertaining who should be deemed emigrants, and which afterwards devoted them to death, if they should presume ever to return to their native country.

In the discussion which had taken place last night, it had been asserted, that no act was tyrannical which tended to bring the guilty to a certain and speedy conviction; but, was

not the acquittal of innocence, as well as the punishment of guilt, an essential object in every humane code of criminal law? Why, therefore, were persons, who were indicted under this act, to be deprived of the benefits of the statutes of William and Anne? By these acts, a copy of the indictment was to be granted to the prisoner; counsel were permitted to plead for him on questions of fact, as well as questions of law, and what was, perhaps, of more importance, were allowed free communication with him at all times. To these important privileges were superadded that of having a list of the jury who were to try the prisoners, and of the witnesses who were to be adduced against him. A reason had indeed been assigned by the right honourable the chancellor of the exchequer, for withholding this privilege in the present instance, which he confessed he was sorry, as well as ashamed, to hear assigned. The House had been told, that this privilege was rendered perfectly nugatory, because the crown could give in such a numerous list of witnesses that the prisoner could not possibly inquire into their situation, or have an opportunity of knowing who were really to be produced against him. If such an artifice was ever made use of, either by the right honourable gentleman, or the other servants of the crown, he trusted there was still virtue enough in the House, and spirit enough in the nation, to call them to a severe account for such notorious misconduct. But, amidst all the severe enactments with which this bill was filled, they were still said to be null, because the operation of the laws of forfeiture was prevented from attaching upon the persons who might offend within this bill. He lamented, in pathetic terms, that because this bill was not to work corruption of blood, a person accused of a breach of it was to be deprived of the aids and shields which were allowed by the 7th of William III. to persons accused of high treason; the distinction of treasons, working and not working corruption of blood, was to cease at the death of Cardinal York, a period which could not now be considered as very remote: from all that he had ever heard of that person, who was by every one represented as a very meritorious individual, he felt a much greater disposition to wish him a long life, than to wish for his death; and yet a man might be tempted to wish for the latter, when he found a legislature so absurd as to continue a cruel distinction between different species of high treason, and refuse to individuals accused of one the indulgencies which it allowed when they were accused of another, and when there existed no other pretence for the distinction, than an absurd apprehension of an invasion from an aged cardinal to revive the claims of the house of Stuart. If any person unacquainted with our

laws, our manners, and our customs, should inquire into the nature of a punishment which was said to be lenient, he would certainly conceive it to be imprisonment or pillory almost; but, if he was informed that death, the ultimate right of civil society on the individual, was still inflicted by this bill, with a less probable chance of escaping than under the former laws of the country, and with the trifling exemption from forfeiture and corruption of blood, he might, perhaps, be led to conclude, that this tyranny was of all others the most odious and detestable — a tyranny which wounded under the garb of mercy.

He could not help again taking notice of the severity of the bill, in submitting all persons to be tried, without the assistance of a gentleman of the learned profession to address the jury for them. He must say, that allowing counsel to speak for them appeared to him an important point. It had, indeed, been said, that this bill was founded upon the general principle of the laws of treason, and on the 25th of Edward III. That was only a pretext, as he had said before. Was the fact so? Not the least like it. Was it no advantage to a poor man in prison, accused of high treason, to have a counsel to visit and attend him, and to assist him in making out his defence? Was it of no advantage to a person thus accused, to have a list of his jury before his trial for perusal? Was it of no advantage to a person so accused to have a copy of his indictment several days previous to his being called upon to appear upon his trial? Was it no advantage for such a person to have a list of the witnesses to be examined against him? Most unquestionably it was. Under the bill now before the House, one witness was sufficient; no evidence of innocence of intention was admissible; no means of defence provided; no guards for innocence secured; no power of inquiry given; no opportunity of knowing the witnesses afforded.

Upon the point of the list of witnesses, he sincerely hoped the chancellor of the exchequer had repented of what he had said, in answer to that observation yesterday. He was the minister of the crown; it must be by his advice that the law officer of the crown was, in a great measure, to conduct prosecutions for treasons; and, that such a person, in such a situation, should say that a trick might be played on the prisoner, by sending him a list of witnesses so numerous that he should not have time to examine it, by which the purpose of an act of parliament might be defeated, was a declaration of a most alarming nature to the people of this country. All he could say was, he hoped no such infamous tricks would be attempted; but, if there was such an attorney-general in this

country, he hoped there was still spirit enough in the people to bring him to a proper account for it. If there was such a minister belonging to the crown, he hoped and trusted there was spirit enough in that House to bring him to account for it. He hoped the House would not be reconciled to the remainder of the bill, because several of its harsh, cruel, and hypocritically lenient clauses were omitted. On the contrary, emboldened by the success which had attended their endeavours, let the House go one step further, and reject the bill altogether. Much more judicious, manly, and honourable would it have been, if the promoters of this bill had pursued that course; but, possessing minds unacquainted with, or hostile to the constitution, they had thought it more proper to cherish harsh laws, though they had awkwardly endeavoured to conceal their real sentiments, by expunging clauses introduced by themselves when the statute would not bear them out, and proceeded on the supposition of criminality where it could lend them any assistance. The House would likewise consider the manner in which the bill had been hurried through the House. They were called upon to meet in Easter-week, at a time when many gentlemen were necessarily absent, particularly one honourable and learned friend, (Mr. Erskine,) from whose knowledge and eloquence so much advantage had been derived in the commencement of this business, and who would have been soon enabled to have resumed his seat in the House. The most gross blunders in respect to the reciprocal legislations of England and Ireland had been committed; and, to facilitate their projects, men had been contented to sacrifice the natural desire of reputation, arising from their knowledge of penal legislation and the constitution of their country. By the exertions of the gentlemen with whom he acted, the bill had been rendered in some respects less exceptionable; and by its total rejection, he hoped that the mildness, philanthropy, and liberality for which the eighteenth century had been distinguished, would still remain its characteristics. Though, from his not being in a committee, he had no opportunity of replying to any misrepresentation of his arguments, yet he would console himself with reflecting, that he had discharged his duty to his country in giving the present bill every opposition in his power.

On the motion that the bill do pass, the House divided,

	Tellers.			*Tellers.*	
YEAS	Mr. E. J. Elliot, Mr. John Smyth	154	NOES	Mr. Grey, Mr. Whitbread	53

The bill was accordingly passed.

Mr. Sheridan's Motion for an Address, to express Displeasure at Lord Auckland's Memorial to the States General.

April 25.

On the 18th of April Mr. Sheridan moved for a copy of a memorial, dated the 5th of April, and presented to the States General by the British and Imperial ministers. The said memorial being produced, on the 25th, Mr. Sheridan, after an eloquent speech of considerable length, moved, "That an humble address be presented to his majesty, to express to his majesty the displeasure of this House at a certain memorial, dated the 5th of April 1793, presented to the States General of the United Provinces, signed by the right honourable Lord Auckland, his majesty's minister at the Hague, the said memorial containing a declaration of the following tenor:—'Some of these detestable 'regicides' (meaning by this expression the commissioners of the national convention of France, delivered to Prince Cobourg by General Dumourier,) 'are now in such a situation that they can 'be subjected to the sword of the law. The rest are still in the 'midst of a people whom they have plunged into an abyss of evils, 'and for whom famine, anarchy, and civil war, are about to pre'pare new calamities. In short, every thing that we see happen 'induces us to consider as not far distant the end of these wretches, 'whose madness and atrocities have filled with horror and in'dignation all those who respect the principles of religion, mo'rality, and humanity. The undersigned, therefore, submit to 'the enlightened judgment and wisdom of your high mightinesses; 'whether it would not be proper to employ all the means in your 'power to prohibit from entering your dominions in Europe, or 'your colonies, all those members of the assembly stiling itself 'the National Convention, or of the pretended executive council, 'who were directly or indirectly concerned in the said crime; 'and if they should be discovered and arrested, to deliver them 'up to justice, that they may serve as a lesson and example to 'mankind.'

"To acquaint his majesty of the sense of this House, that the said minister, in making this declaration, has departed from the principles upon which this House was induced to concur in the measures necessary for the support of the war, in which the British nation is at present unfortunately engaged, and has announced an intention, on the part of Great Britain, inconsistent with the repeated assurances given by his majesty, that he would not interfere in the internal affairs of France; and for which declaration this House cannot easily be brought to believe that the said minister derived any authority from his majesty's instructions:

"Humbly to beseech his majesty, that so much of the said memorial, as contains the declaration above recited, may be publicly disavowed by his majesty, as containing matter inconsistent with the wisdom and humanity which at all times have distinguished the British nation, and derogatory to the dignity of the crown of this realm, by avowing an intention to interpose in the internal affairs of France, which his majesty has, in so many positive declarations, disclaimed, and mingling purposes of vengeance with those objects of defence and security to ourselves and our allies, which his majesty's ministers have so often declared to be the sole object of the present war.

"To represent to his majesty, that this House has already expressed its abhorrence of the acts alluded to in the above declaration; and that as neither this, nor any other foreign state, can claim any cognizance or jurisdiction respecting that act, the only tendency of menaces against the persons concerned in the perpetration of it, is to reduce this country to the ruinous alternative of carrying on war for the subversion of the present government of France, or of obtaining peace by an ignominious negociation with the very government whom we have thus insulted and stigmatised.

"That these threats must tend to give to the hostilities with which Europe is now afflicted a peculiar barbarism and ferocity, by provoking and reviving a system of retaliation and bloodshed, which the experience of its destructive tendency, as well as a sense of honour, humanity, and religion, have combined to banish from the practice of civilized war.

"And finally, to represent to his majesty how deeply the reputation of his majesty's counsels is interested in disclaiming these unjustifiable, and, we trust, unauthorised denunciations of vengeance, so destructive of all respect for the consistency, and of all confidence in the sincerity of the public acts of his ministers, and so manifestly tending at once to render the principle of the war unjust, the conduct of hostilities barbarous, and the attainment of honourable peace hopeless."

After Mr. Pitt had entered into an elaborate defence of Lord Auckland,

Mr. Fox said, that the right honourable the chancellor of the exchequer had attempted to defend the memorial on the only ground on which a defence could have been expected, namely, its want of any definite meaning. In his usual mode of alluding to past transactions in that House, he had charged his honourable friend with putting off his motion for the purpose of taking new ground, although he knew that his honourable friend had put it off at the request of friends who wished to be present at the discussion, and who could not attend on the day for which he had first given notice. With respect to the motives and feelings which the right honourable gentleman had taken the trouble of imagining for his

honourable friend in making this motion, his honourable friend could have but one motive, his sense of public duty; and the noble lord, whose conduct was the cause of it, could excite no feeling but that of the most placid and tranquil nature. The right honourable gentleman had defended the memorial on the ground of its meaning nothing at all; but he had not ventured to say that it had no reference to the commissioners of the French convention put into the hands of the Austrians by Dumourier, on the hopes entertained of Dumourier's plan. The memorial said, that these commissioners were in a situation to be subjected to the sword of the law:—to what sword —of what law? To the sword of any law which those to whom they were delivered, not as prisoners, but hostages, might frame for their execution? If it meant to the sword of some law to be revived or established in France, why was not that qualification inserted in it? Lord Auckland's communication to the States General in September had never received the sanction of the House, and therefore the House would be guilty of no inconsistency in condemning it. The purport of that communication was simply, that if any act, then generally apprehended and universally deprecated, should be committed, the perpetrators of it would not be sheltered from the laws of their country in his majesty's dominions. But what did my Lord Auckland? He, not as a measure of prevention, not as a warning to deter, but on a principle of vengeance, obviously tending to provoke retaliation, and, in the very first instance, to endanger the lives of the survivors of the royal family of France, suggested to subject to the sword of the law persons given as hostages for their safety.

What was the motive of his honourable friend in moving to censure this conduct? To obtain the reprobation of the House against making the war more bloody, and the contest more cruel. If the conduct of the French to Frenchmen had excited abhorrence, if they had shewn a disposition unjustly and wantonly to shed blood, now was the time for the House to shew detestation of their disposition and their practice, by expressing their detestation of this memorial. Another motive for his honourable friend's motion was, to obtain a clear and explicit declaration of the object of the war. The right honourable gentleman had said, that this was wholly unconnected with the internal government of France; but at the same time he expressed a wish that, in making peace, we might not have to treat with those persons who now exercised the powers of government in that country. The real object, according to the right honourable gentleman, was to obtain an indemnification for their unjust aggression, and security for the peace of Europe in future.

From this he learned, that indemnification and security might, in the contemplation of the right honourable gentleman, be gained from those "malheureux," whether wretches or unhappy persons; for to drive them from the government was not an object, but a wish. With whom, then, when the hour of negociation came, might we have to treat? With those very men whom, in our memorials and public acts, we were now stigmatising with every vilifying and opprobrious epithet. Hard words he had always thought imprudent; more especially when applied to persons of whom it was possible we might afterwards have occasion to speak in very different terms. With those very persons the right honourable gentleman had treated through M. Chauvelin, and had boasted of sending instructions to Lord Auckland to treat with them, even after the murder of the king. Would the right honourable gentleman now refuse to treat with them, if an occasion, consistent with the avowed object of the war, should offer? No such declaration would he venture to make. Lord Auckland, then, if he should be continued in his present situation, might be, from local circumstances, the most convenient person to employ to treat with them. But, what would the Frenchman say? Supposing him to forget all the hard words, all the odious terms formerly applied to him, he would very naturally say, What! treat with Lord Auckland? No; he has declared he will hang me if he can catch me, and therefore I will not put myself in his power. The answer to all this was, that the paper was only the too sanguine effusion of imaginary success, and meant only, that when a tribunal should be established in France, agreeably to the fancy of the combined powers, the members of the convention and the executive council would be subjected to the sword of the law—the memorial ought to have said so; for it was giving but little encouragement to those now in the exercise of government in France to think of negociation, to tell them that to get hold of them, or their agents, and to hang them, was one and the same thing.

His honourable friend had introduced the conduct of Russia, Prussia, and the emperor, which the right honourable gentleman has treated as having no connection with the subject. Was it, indeed, so immaterial? If we were engaged in a war on the usual principles of war, the cause ascertained and the object definite, we might indeed avail ourselves of the assistance of powers for the attainment of that object, whose views were very different from our own. But if, as the memorial implied, we were at war with persons, not with the nation, and had thrown away the scabbard, it was of great importance to consider whether or not their object was the same as ours;

whether, while our aim was reparation and security, theirs was not aggrandizement; whether, while we sought only to remove certain persons from the government of France, they did not look to the partition? Of crowned heads it was always his practice to speak with respect; but the actions of their cabinets were fair matter of discussion. Under this qualification he had no difficulty in saying, that the late conduct of Russia and Prussia was ten thousand times more reprehensible than any part of the conduct of France towards other nations. Of the former partition of Poland he had never spoken but in terms of reprobation; but the present was more odious than the former, inasmuch as it was marked by the most flagrant breach of faith, and violation of the most solemn declarations. Prussia, it was notorious, had encouraged the revolution in Poland, and expressed the most decided approbation of seating the family of Saxony on the hereditary throne. That very revolution was now made the pretext for entering Poland, and forcibly seizing on Dantzic and Thorn. Russia entered Poland, declaring that her only object was to restore the republic which the revolution had subverted; and having gained possession of the country, in contempt of all her former declarations, she proceeded to divide it with Prussia and the emperor.

Strong, however, as was his reprobation of such conduct, he had never said that we ought on that account to reject a useful alliance with either of those powers; but that while we professed to be fighting against one species of tyranny, we ought to be careful not to set up another tyranny more dangerous. What was the answer to this? Declamation against the horrid tendency of French principles, the subversion of all order, and the introduction of anarchy. When we argued against principles, let us not confine our view to the mischief they might occasion, but consider also the probability of their being established. Were three or four maniacs to escape from Bedlam, and take possession of a house, the mischief they would do in it would probably be much greater than that of as many robbers; but people knew the improbability of their getting into that situation, and very properly guarded their houses, not against madmen from Bedlam, but against robbers. Just so was it with the probability of French principles gaining the ascendancy. Anarchy, if it could be introduced into other nations, was in its nature temporary—despotism, we knew by sad experience, to be lasting; the present emperor was but little tried: but if, as generally happened, the systems of cabinets were more to be attended to than the characters of princes, we had seen the cabinet of Vienna repeatedly promising to the Austrian Netherlands the restor-

ation of their ancient constitution, and as often refusing to fulfil its promise; we had seen the late emperor promise that restoration under our guarantee as the price of their return to allegiance; we had seen him refuse it when he again got possession; we had seen Lord Auckland protest against the refusal, and afterwards most shamefully accede to it; and we had seen the governors of the Netherlands making their escape by one gate, while the French were entering at another, declare the restoration of that constitution; as if the moment when they were compelled to resign possession, was the only fit moment for restoring the rights of those whom they were sent to govern.

If in all this there were any symptoms of good faith to give us confidence, the Prince of Saxe Cobourg's proclamations were sufficient to destroy it all. In the conduct of the three courts, we should find all the crimes of France towards other nations committed in a more unjustifiable manner. But the right honourable gentleman said, these were only topics to induce us to refuse the assistance of those courts. If the object of the war were distinct, we might, indeed, accept of their assistance with safety; but, while all was doubt and uncertainty, how could we pretend to know what were their views, or what they expected as the price of their assistance? We were now acting in concert with the dividers of Poland. We ourselves were the dividers of Poland; for, while we were courting them to aid us in a war against French principles, we furnished them with the pretext, and afforded them the opportunity of dividing Poland. We were the guarantees of Dantzic, of which Prussia, our ally, had taken possession. Did we not say, when the French attempted to open the Scheldt, that we were the guarantees of the exclusive navigation of the Scheldt to the Dutch?

——— mutato nomine, de te
Fabula narratur.

Prussia was the other guarantee; but regarded guarantees as little as the French, when Dantzic and Thorn were to be annexed to his territories. What was this but teaching the people that the professions of courts were mere delusions — that the pretext for the war was the danger from French power and French principles, but the cause, to gratify the ambition of other powers? How were we ever to make peace, when we were not agreed upon the terms with those who assisted us in the war? Regard for the christian religion was one of the reasons alleged for dividing Poland; regard for the christian religion might be alleged for dividing France. He did not understand that we paid any subsidies, and in

one point of view he was sorry for it. We should then understand for what we had engaged. As the case stood at present, how did we know what Prussia or the emperor might require of us? As Russia had taken part of Poland, might not the emperor take a fancy to Bavaria and the Palatinate? And thus the difficulties of making peace become greater than those of carrying on the war? Add to this, that if rumour or regard to ancient policy could be trusted, Spain would not consent to the dismemberment of France. Mr. Fox said he was the more strongly convinced of the observation he had made upon a former occasion, that in all these quarrels there was a material difference between the *ratio suasoria* and the *ratio justifica*, which were alternately to be substituted, the one for the other, as called for. If, as he feared, this war was undertaken against principles, let us look to the conduct of Germany, Russia, and Prussia, and, if the spirit of chivalry was so alive amongst us, see if there were no giants, no monsters, no principles, against which we had better turn our arms. For his part, he had no hesitation in saying, that though France had unhappily afforded many instances of atrocity, yet the invasion of last year, and which our present conduct seemed to justify, was the most gross violation of every thing sacred which could exist between nation and nation, as striking at the root of the right which each must ever possess of internal legislation. The mode of getting out of this situation was by agreeing to the address, censuring Lord Auckland, and thus convincing the other powers of Europe that we would not be parties to their plans for dividing kingdoms. It was, indeed, matter of great doubt, whether or not peace for Europe could now be obtained for any great length of time. The encouragement we had given to the robbery of Poland might be expected to inflame the passions of avarice and ambition. There was, however, one nation, Spain, which had a common interest with us, and with which he wished to see a cordial union against the dangerous aggrandizement of the imperial courts and Prussia. All our victories in the present war had been obtained by their arms exclusively, and every victory gave fresh cause of jealousy. To agree to the address would have another good effect. It would satisfy the people, that the reason for the war and the pretext were the same; and that there was not one language for the House of Commons and another for the Hague. Upon these grounds, he conceived the country under great obligations to his honourable friend for bringing forward the present motion, as tending to call forth from the minister a repetition of those causes and objects to which the nation had a right to look up for the commencement and con-

tinuance of the war. He therefore gave it his hearty approbation.

The House divided on Mr. Sheridan's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Sheridan, Mr. Grey	36.	NOES	Mr. Neville, Mr. Jenkinson	211.

So it passed in the negative.

STATE OF COMMERCIAL CREDIT.

April 29.

A SPIRIT of commercial speculation and commerce had been for some time increasing in every part of the kingdom, and had now got to such a height, as to threaten public credit with very serious danger. The circulating specie being by no means sufficient to answer the very increased demands of trade, the quantity of paper currency brought into circulation, as a supplying medium, was so great and disproportionate, that a scarcity of specie was produced which threatened a general stagnation in the commercial world. In consequence of this alarming state of public credit, Mr. Pitt, on the 25th of April, moved, that a select committee of fifteen be appointed to take into consideration the present state of commercial credit, and to report their opinion and observations upon it. On the 29th, the report of the select committee was brought up, and on the motion that it be taken into consideration to-morrow,

Mr. Fox said, that he did not intend to make any opposition to going into the proposed committee; but if at the present moment, he forbore to do so, he trusted it would not be construed into his giving any kind of assent to the measure. He agreed with his honourable friend behind him, (Mr. Jekyll,) that, taking the evil and the remedy together, it involved matter most important to the country, and of very delicate and difficult discussion. It seemed to him a business of a very anomalous nature; nor had he ever heard of a system in any shape similar, having been hitherto adopted or thought of. But, although he could not feel disposed to give it his assent, yet he confessed, that under the present most alarming circumstances of the country, as to mercantile credit, he wanted nerves to give it a decided opposition. In such a case, he should be apt to be somewhat diffident of his own opinion, if opposed by those who had occasion to bestow more time and

attention on the subject, for whose opinions he entertained respect, and who might be better qualified than himself to form a judgment as to the probable effect of the measure with respect to commercial credit. He rose, therefore, chiefly for the purpose of saying, that it did by no means appear clear to him at first sight, that the remedy proposed would be effectual for the purpose intended; and that as it was, in his opinion, a measure of very considerable difficulty and danger, he hoped it would receive a full and deliberate discussion when brought forward to-morrow. Whether the present calamitous state of commercial credit was or was not owing to the war, was surely a matter not capable of proof; but, seeing the coincidence betwixt them in point of time, those would unquestionably be rash, on the other hand, who should pretend to say decisively that they were totally unconnected. He begged to warn the House and the public, that there ought to be a considerable degree of confidence as to the good effect of such a measure as the present, before it should be adopted. If the executive government was to interfere in such a case, might it not be the beginning of a system of which we could not see the end? If the sum now proposed to be raised should be found insufficient, were they to stop? These were points for the consideration of the House, and he conceived them to be of very serious moment. He confessed he felt a reluctance to a measure so novel and important, and he trusted that every possible information would be brought forward upon the subject.

Parliament and government, Mr. Fox observed, were now going to assume a new character and a new function: they were in their nature, the one legislative, the other executive; but now they were about to depart from their natural functions and to support the credit of commercial houses by advancing money upon their stock in trade. It surely would be incumbent upon ministers to shew that this was necessary on the part of parliament and of government, and that it could not be so effectually or properly done by the bank, or any other great moneyed body of men, much better qualified than the legislature could possibly be, to ascertain the solvency of merchants and the value of goods. He considered this as the introduction of a new system, which ought to be very seriously examined, because it might lead to consequences the most alarming. There were two points of view in which he thought it ought to be placed before the House, namely, as it might affect the public purse, and as it might affect the constitution. The public were to be called upon to lend five millions of money to the traders and manufacturers upon the security of their goods and property. Might not the public be exposed

to lose a great part of that sum by advancing it upon articles, the value of which government did not sufficiently understand to be able to ascertain how much might be safely lent upon them, or to persons with whose circumstances it had not the means of being acquainted? The bank of England was in every respect better qualified than government for such a task; and it was not a very favourable symptom, that the bank had declined granting the aid to public credit, which was now solicited from parliament; for it would seem as if the persons who were to be assisted were not in such circumstances as would make it safe for government to advance money to them. It was the interest of the bank to discount good bills, and when it refused to do it, one might well fear that the owners of those bills were not considered by the bank as labouring only under a temporary embarrassment.

When he considered the new system in the light in which it would affect the constitution, he felt so serious an alarm, that nothing could possibly reconcile him to it, but a conviction that it was to exist only for a short period, and not to be drawn into a precedent. No author that he had ever read had proposed any system like that now suggested; but perhaps he might hear it justified either by some theory or experiment of which he was as yet ignorant. The measure proposed was in his opinion dangerous to the constitution. It was investing government with the whole commercial influence of this country. He might entertain very high sentiments of the gentlemen about to be appointed as commissioners, but he thought the power which they were likely to possess would endanger the liberties of their fellow-subjects, more especially when they acted under the control of government. In a constitutional view, therefore, the present appeared to him a measure exceedingly alarming to the freedom of Englishmen; and one which ought, unless fully vindicated, to be resisted. The commercial ought never to be involved or blended with the legislative or executive authority. He had always understood, that the spirit of commerce was more free and enterprising when unfettered with the connection now described; and he implored the House to pause before they sanctioned a system unknown to our constitution, and which might subvert our liberties. If the measure were thought laudable by government, why did not the commercial interests assist each other, rather than surrender their freedom to those in power? On these grounds, he trusted that the system was to be merely temporary, and that the most effectual guard would be placed round it, to prevent it from being abused, and from endangering the very thing it was intended to support.

April 30.

The House being in a committee to take into consideration the said report, Mr. Pitt moved, "That his majesty be enabled to direct exchequer bills to the amount of five millions, to be issued to commissioners, to be advanced by them under certain regulations and restrictions, for the assistance and accommodation of such persons as shall be desirous of receiving the same, on due security being given for the re-payment of the sum so advanced, within a time to be limited."

Mr. Fox said, he did not wish to trouble the committee much at length upon the present occasion. He felt the subject to be such, that he hardly knew how to speak at all upon it, and the more so, as he had considerable doubts upon the expediency of the remedy, supposing the principle of the proposed measure to be unobjectionable. With regard to the necessity of aiding the public credit at this humiliating and unhappy moment, there was not indeed, either in that House or abroad, any room for difference of opinion. The state of public credit was matter of lamentation to this country. Humiliating and lamentable it must be; for the very circumstance of that House being in a committee to consider of means to aid the commercial credit of the nation was decided evidence of that fact; and he must add, that, the whole taken into consideration, we were surrounded by circumstances of a most dangerous nature. We were told, that, in point of fact, there was no real danger, for that the distress was merely temporary, and that the remedy now proposed would be fully adequate to its removal. He wished to God that might turn out to be true! but, at the same time, it was not quite satisfactory to see that government were obliged to take up what the bank of England would not touch. The answer to this was, that the bank of England was not in the habit of entering on a speculation of this nature, and that it would not be consistent with the regularity of their proceedings to do so at this moment. Was there any thing so peculiarly regular and precedented in the legislature taking up the measure, that taught gentlemen there was no real danger? If the bank of England, accustomed as they were to commercial dealings, thought it a scheme upon which it was not prudent to adventure; how did gentlemen arrive at all at the conclusion, that there was no danger to the public in such an adventure? If it was not the habit of the bank to advance money upon a certain species of security, he would say, neither had it ever yet been the habit of the public to advance their money upon that security; and that if there was to be

any innovation in the affairs of commerce, it was better that it should be made by the bank than by the public.

But, it seemed, the bank had been applied to in vain upon this occasion. What was the reason that the bank had been applied to in vain? He feared the reason why that application was unsuccessful would not be very likely to induce the public to adopt the measure. These reflections compelled him to entertain doubts upon the prudence of the measure. But, it was again said, that the bank had already issued money enough upon discount. If that was the case, he was afraid the public could not be much benefited by issuing exchequer bills for five millions more, and that means should rather be devised for paying off those in the market. He did not say that his opinion upon this subject was direct, but he could not help suggesting his doubts; he should be very glad to be answered by arguments, and he declared upon his word that he should be happy in hearing his observations refuted. He could not help again observing, that the bank must have some strong reasons for refusing to discount in the usual way; for, generally speaking, they were pretty ready to discount when they thought they could do so with safety, for that was well understood to be for their interest; if that was the case in general, how much more so was it on the present occasion? Who could be more interested in the general credit of the commerce of the country than the bank of England? What, then, must be the conclusion of a man of common sense when such a body of men refused to discount? What must they think of the situation of the country? These points pressing upon his mind, he owned he should not be sorry to hear that the subject went no farther that night. Again, he must observe, the bank refused all share in this business for one of two reasons; either that they did not like the security that was to be offered to them, or that they had already so far employed their money as not to be able to afford the relief wanted. If the first was the reason, there would be a difficulty indeed in the way of the present measure. The commissioners, whoever they were, could not be more conversant in commerce than the gentlemen who had the management of the affairs of the bank of England, and therefore the plan could not have a very flattering prospect of its issue. If the bank hesitated, by what mode of reasoning was it that the commissioners should not hesitate; and in this view he thought himself, as one of the trustees of the interests of the public, bound to hesitate. If the other reason was allowed, namely, that the bank had already issued all it could afford, he could not see the ultimate advantage to the public credit by the issuing exchequer bills.

He must again repeat, that he spoke upon these points with doubts, which he should take pleasure in having removed, and grief in having confirmed, and he must really say he did not know what to do. He knew not how to say that he would not agree that the committee should proceed upon this subject, for the purpose of supporting the commercial credit of the kingdom, and to remove the calamity of the country: and yet he did not see how this plan would answer the purpose for which it was intended. He felt also another difficulty, and that arose from a motive of delicacy, from the circumstance of having had nothing to do with entering into the present war, — the cause, in his opinion, of all our calamities; having on the contrary, done every thing in his power to prevent it, so he did not wish to be represented as a person no feeling the calamity, because he had not contributed to produce it.

A very important part of the question remained; he meant the constitutional point that would be involved in it; a matter in itself of the highest importance. How was government to take what related to commercial dealings into its hands, without establishing a precedent of the most dangerous and alarming nature, and without creating a general timidity in commercial men with regard to the fate of their future speculations? How were the committee sure that this would not damp the ardour of commerce, and shake the general principle, which was the life of commerce itself, the control which every man had over his own property? How were they sure that the commissioners, when appointed, would be free from partiality, prejudice, favour, and affection, and all the weaknesses which were common to our nature? And how could it be determined that these commissioners would receive the security of one whose way of thinking upon politics might be agreeable to the minister, and refuse an equally good security from a person of a contrary way of thinking? Was not this opening a door to the most unconstitutional and dangerous patronage? Good God! did the committee see the extent of the power which this might give to the executive government? — a power which it was the first duty of that House jealously to watch. Before, therefore, he voted for such a measure, he ought to see something like the probable effect of it. He ought to give power of this nature with a timorous and reluctant mind. He ought to feel the danger to which his country was exposed in the possible abuse of such a power. He ought to know something of the proposed end before he consented to such a beginning. He repeated, that although he was not in the least degree accessary to the commencement of this calamitous war, yet he should be glad to be instrumental in bringing it to a conclusion as speedily as could be effected with due regard to the

honour of the country. He blamed not the majority on that occasion, but gloried in being one of the minority. He wished to see the hour when this destructive measure was at an end, for then commercial credit would return, and with it commercial enterprise and vigour.

The resolution was agreed to without a division.

Sheffield Petition for a Reform in Parliament.

May 2.

Mr. Duncombe presented a petition from Sheffield, signed by eight thousand inhabitants, praying for a reform in Parliament. He said he was a friend to a temperate reform, but he would not go the length which seemed to be the object of this petition, a representation from population alone. But, however, as far as the words of this petition were to be considered, he begged leave to tell the House, that the petitioners were only manufacturers, and not very well acquainted with the language required for addressing the House of Commons, and that circumstance, he trusted, would be an extenuation of their fault. He then moved, "That the petition be brought up." The motion having been supported by Mr. Francis, Mr. Grey, and Mr. Lambton; and opposed by Mr. Ryder and Mr. Wilberforce,

Mr. Fox said, that on a subject of this kind, he could not consent to give a silent vote. If the question was at that moment, whether the prayer of the petition should be granted, he would not hesitate to say that he would give it the most direct and unqualified negative; for, however he might have been misrepresented out of doors, there was not in the kingdom a more steady and decided enemy to general and universal representation, than himself. But as the question was not at present that the House should comply with the prayer, but merely that it should receive the petition, his vote should be of a very different kind; for he must strongly support the motion for bringing it up. He did not deny that the House might with propriety reject a petition, on account of disrespectful language, but he never remembered more than one, which in his opinion ought to have been rejected on such an account, if it had been in the power of the House to reject it; and that was the petition presented, by Mr. Horne Tooke, against the last election for the city of Westminster. But as it was a

petition complaining of an undue election, the House had no discretionary power, for it was obliged by law to receive it. Under any other circumstances, a petition containing similar language ought to be rejected, because the language was not used for the purpose of supporting the prayer; but the prayer was made solely for the purpose of affording the petitioner an opportunity to libel the House of Commons. Mr. Fox said, that the rule which governed his conduct as to the admission or rejection of petitions was this: if the introductory matter was relevant to the prayer, he thought the petition ought to be received, although the language might be offensive in which that matter was enforced: but if the introductory matter was irrelevant to the prayer, and conveyed insult or libel, he in that case would not hesitate to vote for its rejection. Without such a distinction as this, he did not see how a petition for a reform in parliament could ever be admitted; for it must state that the House was not pure, or that it was corrupt, or that it did not fully represent the people. If these assertions were not true, there could be no ground for an application for reform, and if petitions containing them were to be rejected, because such assertions attacked the character or the authority of the House, then there was an end of all hope of reform; and, what was more, there was an end of the right of the subject to petition; for if to state his grievance was a libel, the more real that grievance, the less he must venture to state it, and consequently it must remain unredressed.

In the opinion of some men, the right of the subject to petition was so sacred, that nothing contained in the petition could warrant the rejection of it. He remembered particularly that a noble and learned lord, now holding the high office of chancellor, (Lord Loughborough,) asserted many years ago in the House of Commons, that so extensive and absolute was the power, and so undeniable the right of the subject to petition king, lords, and commons, that however offensive or even treasonable the matter of it might be, neither could the petition be rejected, nor the parties presenting it be tried or punished for the contents. This argument was maintained on an occasion when the learned lord to whom he had alluded, was defending the famous remonstrance of the city of London to the king *, in which his majesty was prayed to disolve his then parliament: the remonstrance went so far as to state, that the House of Commons, by its decision in the case of the Middlesex election, had forfeited all power

* See the debate in the House of Commons, March 15. 1770. New Parl. Hist. Vol. xvi. p. 874.

and authority, that its acts were not valid, and that the subjects were not bound to obey them; this was striking at the root of all order and government; and yet the learned lord had defended the remonstrance on this ground, that the subject having a right to petition for a particular object, he must have a right to urge every thing relative to that object; and as the object in this case was to procure a dissolution of parliament, the city of London was warranted in saying that it ought to be dissolved, because it had ceased, in the opinion of the city, to be a legal parliament, and to keep it sitting and making acts which the people were not bound to obey, must be productive of the most fatal consequences to the public peace.

Mr. Fox said, he did not mean to adopt the learned lord's doctrine to its utmost extent, for he believed it was too far strained; but he quoted it to shew, that in the opinion of a person now high in his majesty's counsels, the right of petitioning was so sacred, that it was not to be defeated under the pretence that it was not exercised in this or that form, or with this or that degree of respect. Applying this doctrine to the present case, he said the petition ought not to be rejected, even though it should, in the most unqualified terms, deny the House to be the genuine representative of the people; for if there was a defect in the representation, if any who ought to be represented were unrepresented, the fact could not be stated without its being stated at the same time, that the House did not fully represent the people; without making this out, there could be no ground for a reform; and if it was asserted and made out, then the House, according to the doctrines which he had that day heard, must reject the application as disrespectful: this surely, would be an absurdity of the grossest kind, and the admission of such a principle was the more fatal, as it necessarily perpetuated abuses, and rendered a redress of grievances impossible.

As he had never seen the petition which was now the subject of discussion, he could not say decidedly that there were no objectionable parts in it; but if the objection was limited to the first part of the petition, he was so far from thinking it disrespectful, that he thought it absolutely necessary, in support of the prayer of the petition, for the petitioners to state, that the House of Commons is not virtually, and, in the just sense of the word, the true representative of the people of England. It had been said, that there was a material distinction between the language which might be spoken in the course of debate in that House, and the language which was proper and decent to be made use of in petitions. It had been said, that freedom of speech was an essential part of the consti-

tution. But, was not the freedom of petitioning equally so? And, if so, might not petitioners state their grievances in strong terms? He could not see with what propriety this petition could be rejected, unless they were to say that they would reject all petitions praying for universal personal representation; for his part, he would not refuse to admit them, because he did not conceive himself entitled so to do, though he was pretty well assured that he could never agree to such a proposition.

It was a matter of surprise to him, he said, that an objection should be started to the petition then under consideration by those who had voted for the reception of the Nottinghamshire petition in 1785; for the latter was, in his mind, the most dangerous that had ever been presented; it was levelled against the constitution in general; for it stated, that the petitioners had been taught that all the former prosperity of the kingdom had proceeded from a happy constitution; but that, being awakened from their dream, they found that the very frame of the constitution was decayed, and that the happiness of former times was the effect of a better spirit in the people, and not of their constitution. It might be asked, he said, after all this, whether he thought any petition could be so framed as that it would be proper for the House to reject it? His answer was, as he had said before, that if the introductory matter was disrespectful, and not relevant to the prayer, he would not hesitate to reject it: but, if it was relevant, he would not be over nice in examining and weighing words; on the contrary, he would be inclined to overlook offensive terms, if they conveyed truth, however disagreeable, and tended to enforce the prayer of the petition. If the House was to shew itself over delicate on such occasions, and reject a proper prayer, merely because it was supported by arguments not over pleasing to the feelings of the members, the consequence might be fatal to the constitution itself; for the House would cease to be loved and respected by the people; for want of the people's love and respect it must become impotent as against the crown; and the crown would become impotent also, and lose the power of restraining violence and anarchy. He would, therefore, lay it down as a rule, that no petition ought to be rejected, unless it was evident that the introductory arguments were inserted for the express purpose of insulting the House. The right honourable the chancellor of the exchequer had, in other times and in other situations, professed himself a friend to parliamentary reform; why he should not be a friend to such a measure in the present times, he was unable to conceive. After the many and unanimous declarations of at-

tachment to the constitution echoed from every part of the kingdom, it was not to be supposed that there could be any where an intention to subvert it; at least, if there was, there was not a shadow of success: this was, therefore, a time when looseness in the wording of a petition might well be overlooked; but if instead of that, the House should be disposed scrupulously to weigh words, and to find them disrespectful, without evidence that the disrespect was intentional, the consequence would be, that the people would despair of ever obtaining a redress of their grievances from an assembly that was too obstinate even to hear those grievances stated. In his opinion, there was nothing so likely to persuade the people that they had few grievances, as for the House to shew themselves willing to investigate them. There was, somehow or other, an idea of a different kind always entertained by the people, when their superiors seemed averse to listen to their complaints. He would therefore conclude with giving his hearty vote for bringing up the petition.

The motion was also supported by Mr. Whitbread, Mr. Sheridan, and Mr. Bouverie.

Mr. Fox, in explanation, said he was confident of the words he had quoted from the speech of the present lord chancellor in 1770. But it was not his opinion only, it was also the opinion of Mr. George Grenville, and he believed of some who were still members of that House. He, however, had no difficulty in saying, that if a petition was presented to that House, denying its power to act as the representative body for the people, to raise supplies, and so on, tending to bring the power of the House into public contempt, to the reception of such a petition he should give his negative; but there was nothing of that nature in the present petition, and therefore he should vote for its being now received.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Sheridan, Mr. Grey	29.	NOES	Mr. Ryder, Mr. Pole Carew	108.

So it passed in the negative.

27049

MR. GREY'S MOTION FOR A REFORM IN PARLIAMENT.

May 7.

AGREEABLY to the intimation which he had given in the course of the preceding session, and to the promise which he had made to the society of the Friends of the People, on the 6th of May, Mr. Grey made his celebrated motion for a Reform in Parliament. After a variety of petitions, pointing to the same object, had been laid on the table of the House, Mr. Grey presented one, purporting to be the petition of certain persons whose names were thereunto subscribed. The petition was of such length, that the reading of it employed nearly half an hour. It stated, with great propriety and distinctness, the defects which at present exist in the representation of the people in parliament. It took notice of the division of the representation, or the proportions in which the different counties contribute to the total number of the representatives; shewing, under that head, the absurd disproportion which takes place in a variety of instances; insomuch, that the county of Cornwall alone sends more members to parliament than the counties of York, Rutland, and Middlesex, put together, &c. It proceeded to take notice of the distribution of the elective franchise, or the proportional number by which the different representatives are elected; stating, under that head, that a majority of the whole House of Commons is elected by less than 15,000 persons; or, in other words, by the two-hundredth part of the people to be represented, supposing that they consist only of three millions of adults, &c. It went on to take notice of the right of voting, or the various restrictions and limitations under which the privilege of a vote for the choice of a representative is bestowed; stating the great evils and inequalities that prevail in that respect. It afterwards took notice of the qualifications to be possessed by candidates and those elected; and then considered the evils arising from the length of the duration of parliaments. It went on to detail the mode in which elections are conducted and decided; and under that head, shewing the evils arising from the length of time to which polls are protracted, from the influence of corporations by the powers entrusted to returning officers, and from the appeal to the House of Commons under the operations of the acts 10th, 11th, 25th, and 28th of Geo. III. as far as the same relate to expence and delay. The petition proceeded to take notice of the mischief resulting from the defects and abuses which it had previously pointed out, particularly by the system of private patronage and the influence possessed by peers and wealthy commoners in the nomination of what are called the representatives of the people; shewing, under this head, that, by the patronage and influence of seventy-one peers and ninety-one commoners, the return of no fewer than three hundred and six members of that House was pro-

cured, which considerably exceeded a majority of the House. The petition dwelt at considerable length, upon all the points already mentioned, and detailed a variety of other abuses, all which the petitioners offered to substantiate by proof; and it concluded by stating the great necessity there was for the application of an immediate remedy, and the high importance of such a measure; and prayed the House to take the matter into their serious consideration, and to apply such remedy and redress to the evils complained of as should appear proper.—The allegations of the petition were dwelt upon with great eloquence and ability by Mr. Grey, who concluded by moving, "That the said petition be referred to the consideration of a committee." Nearly all the principal speakers on both sides of the House took part in the debate, which was protracted to the unusual length of two days. The supporters of the motion were Mr. Erskine, Mr. Duncombe, Mr. Francis, Mr. Whitbread, Mr. Sheridan, and Mr. Fox. It was opposed by Mr. Jenkinson, Mr. Powys, Mr. Windham, Mr. Stanley, Mr. Buxton, Sir William Young, Sir William Milner, the Earl of Mornington, Mr. Anstruther, Mr. Pitt, and Mr. Adam. At the close of the second day's debate,

Mr. Fox said, he was sorry to trespass on the patience of the House at so late an hour, when, after two days' debate, he could have but little hope that he should either entertain or instruct. It was new and extraordinary, that, by the course and mode of argument pursued by the right honourable the chancellor of the exchequer, he should feel himself called upon to apologise for persisting in the opinion which he had always held upon parliamentary reform, or to assign his reasons, and justify himself for not altering it, as the right honourable gentleman had thought fit to do. He had never before imagined that the presumption of guilt lay against consistency, and that whoever presumed to think as he had always thought must immediately be put on his defence. If the opinions which the right honourable gentleman formerly professed, if the propositions which he had endeavoured to persuade parliament to adopt, were so very erroneous, and pregnant with such alarming consequences as he had now depicted, it was but natural to suppose, that he would have read his recantation with compunction, and expressed humiliation instead of triumph in recapitulating the enormous mischiefs to which his former errors might have exposed his country. He assumed that the right honourable gentleman had completely changed his sentiments on parliamentary reform, for he had expressly said so, with the poor reserve, that the time might yet come when he should think it as expedient as he had done before. The arguments he had used would apply equally to all times; and it would

have been more candid to have said so explicitly, than to have held out a hope which, without a second change of opinion as entire as the first, could never be realised. In his arguments against the present motion the right honourable gentleman had had recourse to the mistake, that the object of the present motion was universal suffrage: against this, which made no part of the motion, more than half his speech was employed, and every iota of that part borrowed from what had been urged against himself ten years ago, by those who opposed his first motion for a reform in the representation. Here the right honourable gentleman, was only a plagiary; not a common plagiary indeed, but such a plagiary as Virgil, for instance, who improved and adorned whatever he borrowed. He was obliged to admit that his honourable friend who made the motion disclaimed universal suffrage for his object; but then, he said, look at the petitions! only one of which, however, contained this doctrine. Was he ready to say, that, when he brought forward his motion in 1782, none of the petitions then before the House contained the very same doctrine? But, in addition to the evidence of the petitions, his honourable friend had, on some other occasion, met certain persons at a tavern, known advocates for universal suffrage, which was almost proof positive that his honourable friend was so too! But how did this sort of inference operate against the right honourable gentleman himself? When he brought forward his plans of reform, he was acting at all points with the Duke of Richmond, the great apostle of universal suffrage; and it was no very unreasonable supposition, that his first motion on the subject of reform might have been concerted with his Grace at Richmond-house. If, then, men's intentions were to be canvassed by supposed privity to the designs of others, the privity of the right honourable gentleman to the Duke of Richmond's system of universal suffrage could not be denied, and he must be pronounced guilty by his own rule.

The right honourable gentleman's next objection was to the mode—the very same mode which he himself had adopted. On more mature consideration he had altered his mode; but here he must intercede for the right honourable gentleman's juvenile judgment, and in particular request that he would not insist on dragging through the dirt all those who had supported him in his first motion. What reason he had for changing a motion, which he lost only by twenty votes, was perhaps better known to himself than to others; but he had no right to say, that a motion of the same kind was more dangerous now than his own was in 1782. Mr. Fox said, that he, who had supported all his motions for reform, thought the first the least objectionable. The mode of proceeding lately insisted upon,

that a member who proposed the redress of any grievance must move a specific remedy before the House could take the grievance into consideration, was directly contrary to the most approved parliamentary practice. The member who moved for a committee might go into it with a specific statement, which he might see reason to alter, unless, indeed, the right honourable gentleman had got an exclusive patent for altering opinions; or the committee, supposing the grievance to be proved, might suggest a plan of their own, subject, like every other, to future modification or rejection by the House, when it appeared in the form of a bill. Such was the most convenient and the most ordinary mode of proceeding in all matters of great importance. Now, what was the right honourable gentleman's specific plan? He owed an apology to all those who voted for it, and to him (Mr. Fox) among the rest, and who, although they approved of a parliamentary reform, did not approve of his particular plan, but trusted, that when the general question was carried, they should be able to frame the plan in a less exceptionable manner. These were the precise conditions on which he then called for the support of all who wished well to parliamentary reform; and now he pretended to say, that, by supporting it, they pledged themselves, not to the general question, but to the particular plan. The general rule was, for all who agreed as to the existence of a grievance, and the necessity of a remedy, to concur as far as they could, and then to debate the particulars at a more advanced stage. This was a sufficient answer *ad hominem* to the right honourable gentleman, and to all the arguments against the mode. All those who wished well to the general subject ought to concur in support of the present motion, and if that were carried, the specific plan would come properly under discussion in a future stage.

Another objection was to the time. When the right honourable gentleman made his motion, he alleged, as the reason for it, that there were no adequate means of supporting a good minister, or of repressing a bad one, without a reform in the representation; that to the inadequacy of the system had the misfortune of the American war been owing; and that it was necessary to provide against the nation's falling into a similar calamity. What had since happened to make the calamity less to be dreaded, or the precaution less expedient? Under the administration of the Marquis of Rockingham, an administration of which he approved, the right honourable gentleman first proposed reform, and that, too, in a time of war. Under another administration, of which he did not approve, he again proposed it, and in time of peace. On neither of these occasions did the right honourable gentleman

consider the character of the ministry as at all affecting the expediency of his motion, nor had he ever argued on it in that way. A third administration succeeded, of which he certainly did not entertain a bad opinion, for he was at the head of it himself; still he maintained, or said he maintained, all the doctrines he had held before on the necessity of reform. His reason could not be that he distrusted the virtue of the then House of Commons, for it was a favourite House of Commons, on all occasions much extolled by him. Such a favourite indeed, that his plan of reform was not to commence till after the dissolution of that parliament. Thus, under all possible circumstances of time, in time of war, in time of peace, under an administration which had his confidence, under an administration that had it not, and when he himself was minister, had the right honourable gentleman agitated the question of reform. What was there now to make it improper for another to do that which it had been proper for him to do in every variety of time and circumstances? The prosperity of the country was no argument against reform, for it was not urged as a necessary measure to restore prosperity, but to give security to the prosperity which we enjoyed. That security, by the right honourable gentleman's own admission, no change of ministers, nothing else could give; for he had moved it when minister himself, and he did not surely distrust his own administration. When his honourable friend gave notice of his motion last year—a part of his argument which had been very unfairly treated—he said, that a time of national prosperity and peace, as the minister had described that to be, must be considered as favourable for reviving the question of reform. Since then, this unfortunate and mad war had been entered into, and his honourable friend said, "You who objected to my motion last year, as improper in the season of prosperity and peace, cannot now make the same objection in the season of war and much public distress." This, which he adduced merely as an *argumentum ad homines*, to prove the inconsistency of his opponents, was attempted to be made a charge of inconsistency against himself. What objection could the right honourable gentleman raise to reviving the question of reform in a House of Commons which he had found so favourable to him on every other subject? He would hardly venture to say, that the House of Commons had been so universally complaisant to him, that he was sure they would never support a bad minister. Had they often joined him in opposing ministers whom he thought bad, he might indeed say that they would never suffer misconduct in a minister; but on nine years' experience of support to his own administration, it would be rather too

much to make the same inference. There could be no objection to the motion being made now, except that it was made by his honourable friend instead of the right honourable gentleman. In the pride of his new wisdom, his present self felt such contempt for his former self, that he could not look back on his former conduct and opinions without a sort of insulting derision. As Lord Foppington said in the play, "I begin to think that when I was a commoner, I was a very nauseous fellow;" so the right honourable gentleman began to think, that when he was a reformer, he must have been a very foolish fellow: he might, nevertheless, have retained some degree of candour for his honourable friend, who had not yet received the new lights with which he was so marvellously illuminated. If the right honourable gentleman had rested his objections on the change of circumstances produced by the events in France, his argument would have been rational, or at least consistent. But he appealed to the recollection of the right honourable gentleman, whether he had not in 1785 argued as earnestly against universal representation, and painted the dangers of it in colours as strong as he had done now? The events in France, therefore, had produced no aggravation of the danger in his view of the subject, but rather made it less, in as much as the example of its effects in France had brought it into utter discredit in the mind of every thinking man; and what he had not considered as an objection to his own motion in 1785, he had no right to insist upon as an objection to the motion of his honourable friend now.

He had always disliked universal representation as much as the right honourable gentleman; but that dislike was no reason for charging it with more mischief than was fairly imputable to it. It had not been the cause, as the right honourable gentleman alleged, of all the evils in France. The first, or constituent assembly, was not elected on this plan, but on old usages and old abuses; yet that assembly had done some of the most unjustifiable things done in France: it had despoiled the clergy without regard to situation or character, and destroyed the nobility. The second, or legislative assembly, was not chosen by individual suffrage; for when the constitution was framed, wild as the French were, they had laid many restrictions on individual suffrage, and made the distinction between active and inactive citizens. It was, therefore, unjust to charge on it what was done by assemblies elected before it was brought into use. France, after doing great honour to herself by shaking off her old intolerable despotism, had since been governed by counsels generally unwise, and often wicked. But, what had this to do with our reform? It had been said, that French principles, though not more detestable than the principles of

Russia, were more dangerous and more to be guarded against, because more fascinating. Would any man now say that French principles were fascinating? What, then, had we to fear from what no man in his senses would wish to copy?

A right honourable friend of his (Mr. Windham) had last night, in a very eloquent, but very whimsical speech, endeavoured to prove that the majority was generally wrong. But when he came to answer some objections of his own suggesting, he found himself reduced to say, that, when he differed from the majority, he would consider himself as equally independent of the decision of that majority as one independent county member of the decision of another — which was just to say, that he would put an end to society; for where every individual was independent of the will of the rest, no society could exist. It was singular for him to defend the decision of the majority, who had found it so often against him; and he was in hopes that his right honourable friend would have shewn him some easy way of solving the difficulty. His right honourable friend said, that a wise man would look first to the reason of the thing to be decided, then to force, or his power of carrying that decision into effect, but never to the majority. He would say, look first and look last to the reason of the thing, without considering whether the majority was likely to be for or against you, and least of all to force. Mr. Fox admitted that the majority might sometimes oppress the minority, and that the minority might be justified in resisting such oppression, even by force; but as a general rule, though not without exception, the majority in every community must decide for the whole, because in human affairs there was no umpire but human reason. The presumption was also that the majority would be right: for if five men were to decide by a majority, it was probable that the three would be right and the two wrong, of which, if they were to decide by force, there would be no probability at all. What was the criterion of truth but the general sense of mankind? Even in mathematics, we proceeded from certain axioms, of the truth of which we had no other proof but that all mankind agreed in believing them. If, then, what all men agreed on was admitted to be true, there was a strong presumption, that what many, or the majority, agreed on, was true likewise. Even reverence for antiquity resolved itself into this; for what was it but consulting the decision of the majority, not of one or two generations, but of many, by the concurrence of which we justly thought that we arrived at greater certainty? His objection to universal suffrage was not distrust of the decision of the majority, but because there was no practical mode of collecting such suffrage, and that by attempting it, what

from the operation of hope on some, fear on others, and all the sinister means of influence that would so certainly be exerted, fewer individual opinions would be collected than by an appeal to a limited number. Therefore, holding fast to the right of the majority to decide, and to the natural rights of man, as taught by the French, but much abused by their practice, he would resist universal suffrage.

Without attempting to follow his right honourable friend, when he proposed to soar into the skies, or dive into the deep, to encounter his metaphysical adversaries, because in such heights and depths the operations of the actors were too remote from view to be observed with much benefit, he would rest on practice, to which he was more attached, as being better understood. And if, by a peculiar interposition of Divine power, all the wisest men of every age and of every country could be collected into one assembly, he did not believe that their united wisdom would be capable of forming even a tolerable constitution. In this opinion he thought he was supported by the unvarying evidence of history and observation. Another opinion he held, no matter whether erroneous or not, for he stated it only as an illustration, namely, that the most skilful architect could not build, in the first instance, so commodious a habitation as one that had been originally intended for some other use, and had been gradually improved by successive alterations suggested by various inhabitants for its present purpose. If, then, so simple a structure as a commodious habitation was so difficult in theory, how much more difficult the structure of a government? One apparent exception might be mentioned, the constitution of the United States of America, which he believed to be so excellently constructed, and so admirably adapted to the circumstances and situation of the inhabitants, that it left us no room to boast that our own was the sole admiration of the world. The objection, however, was only apparent. They had not a constitution to build up from the foundation; they had ours to work upon, and adapt to their own wants and purposes. This was what the present motion recommended to the House — not to pull down, but to work upon our constitution, to examine it with care and reverence, to repair it where decayed, to amend it where defective, to prop it where it wanted support, to adapt it to the purposes of the present time, as our ancestors had done from generation to generation, and always transmitted it not only unimpaired, but improved, to their posterity.

His right honourable friend had said, on a former occasion, that if the constitution of the House of Commons were that the county of Middlesex alone elected the representatives for the whole kingdom, he would not consent to alter that

mode of representation, while he knew from experience that it had produced such benefits as we had long enjoyed. Now, suppose, for the sake of argument, that the county of Cornwall, somewhat less likely to be a virtual representative of the whole kingdom than Middlesex, were, instead of sending forty-four members to parliament, to send the whole five hundred and fifty-eight, such a House of Commons might, for a time, be a proper check on the executive power, and watch over the interest of the whole kingdom with as much care as those of Cornwall; but, with such a House of Commons, no argument would persuade him to remain satisfied, because there was no security that it would continue to do so. The question now to be examined was, Did the House of Commons, as at present constituted, answer the purposes which it was intended to answer; and had the people any security that it would continue to do so? To both branches of the question he answered decidedly in the negative.

Before he proceeded to offer the reasons on which he thus answered, it was necessary to say a few words on the circumstances which, in his opinion, would justify a change. Many things short of actual suffering would justify not only a change, but even resistance. When the dispute began with America, it was not because it was held that the British parliament had no legal right to tax America, that the project of taxing her was opposed. The Americans, indeed, did maintain that the British parliament had no such right; but he, and many others who opposed the measure, admitted the right, and he was still of the same opinion. What, then, was the ground of the opposition? It was not any actual suffering on the part of the Americans: they themselves allowed that the taxes attempted to be imposed were of the most easy and unoppressive kind. But although these taxes were so, they had no security that heavy and oppressive taxes might not, at some future period, be imposed upon them by a legislative body, in which they had no representation, with which they had no very close connection of common interest, and over which they had no means of control. He, therefore, and those with whom he had the honour to act, thought this want of security, for what they were not then ashamed to call the rights of man, a sufficient cause of resistance. They justified the Americans in that glorious resistance, for which they were then called the advocates of American rebels, as some of them, though too familiar with such charges much to heed them, were now called the advocates of the French. That glorious resistance was ultimately successful, and to that success would yet be owing the liberties of mankind, if in this country they should unhappily be suffered to perish. Jealousy, too, was a good cause of change, or even of resis-

tance — not jealousy captious or malignant, but jealousy founded on well-examined and rational grounds of suspicion. Men were not bound to wait till their liberties were actually invaded; prudence called for means of prevention and defence; and, to justify these, it was sufficient that they saw a clear possibility of danger.

Now, in order to shew that the House in its present state was unfit for the functions which it ought to discharge, he would refer to the history of the American war. It was dangerous to make a concession in argument; for on that concession was generally built some assertion very different from what had been conceded. He had once admitted, that the American war was popular in the beginning; and on that had been built the assertion, that he had called it the war of the people. He never called, nor meant to call it so; for, in truth, it was nothing less — it was the war of the court. By the court the project of taxing America was conceived, and the people were taught to believe that their money would be saved and their burdens eased by a revenue drawn from another country.

Thus were they first deluded, and then bribed by an appeal to their pockets, into an approbation of the scheme of the court. This was no assumption of his, for it was perfectly well known, that when a considerable addition to the standing army was proposed, the country gentlemen were induced to agree to it, by hints that the expence would be defrayed from another quarter, instead of falling upon them. In compliance with the wishes of the court, the House passed the memorable stamp act. The stamp act was resisted and repealed; and the repeal was as popular as the passing of it had been. Was this a presumption, that the war was the war of the people? Was it not, on the contrary, a clear proof that the people had no definite idea of the object of the war? When, by subsequent acts of the same nature, and similar resistance on the part of America, the war was brought on, then, indeed, the indignation of the people was excited by the supposed ingratitude of the colonies to the mother country; their passions inflamed; the love of military glory, natural to the minds of a great and brave nation, roused; and the war became popular. But the war itself was the act of the court, deluding the people by the subserviency of the House of Commons. The House passed the stamp act; the House took all the other measures that led to the war, and voted that it should be supported, not as the organ of the people, but as the obedient servant of the court. What was a successful war, he was somewhat at a loss to know. The American war from the beginning he had always called unsuccessful; but he was, year after year, told that he was quite mistaken, and that the success

was fully adequate to every reasonable expectation. At length came the final blow, the capture of Lord Cornwallis and his army — the war was acknowledged to be unsuccessful, and the House put an end to it, but not till several years after the people had begun to send up petitions and remonstrances against it.

In some of the petitions on the table the accumulation of the public debt was imputed to the defect of the representation, and he was sorry to see such an absurdity in them. The accumulation of the public debt was the necessary consequence of the wars which we had been obliged to maintain in defence of our constitution and our national independence; and he for one had no scruple in declaring, that every war in which we had been engaged, from the Revolution to the American war, was both just and necessary. He would, therefore, acquit the House of all the debt contracted, except for the American war, and as much as might fairly be imputed to too remiss a superintendence of the expenditure of public money: for all the debt contracted to support the American war, after that war became unpopular, the House of Commons was undoubtedly answerable. It was not enough for preventing wars that we were disposed to cultivate peace, if our neighbours were not as peaceably disposed as ourselves. When, therefore, the petitioners talked of preventing wars by reforming the House of Commons, they forgot that the work would be but half done, unless they could give as good a constitution to France as England would then be possessed of. But when he mentioned this, he raised no argument from it against the general prayer for a reform in the representation. His right honourable friend (Mr. Burke), on presenting his plan of reconciliation with America in 1775, made a speech, in which the virtues and the efficacy of representation were displayed with a force and clearness unparalleled. Were the people of Ireland uncivilised and unsubdued after a forcible possession of their country for ages, what was the remedy? Representation. Were the Welsh in perpetual contention among themselves, and hostility to Englishmen, what was the remedy? Representation. Were the counties of Chester and Durham full of discontent and disorder, what was the remedy? Representation. Representation was the universal panacea, the cure for every evil. When the day-star of the English constitution had arisen in their hearts, all was harmony within and without ——

— Simul alba nautis
Stella refulsit,
Defluit saxis agitatus humor;
Concidunt venti, fugiuntque nubes,
Et minax (quod sic voluere) ponto
Unda recumbit.

Let gentlemen read that speech * by day, and meditate on it by night; let them peruse it again and again, study it, imprint it on their minds, impress it on their hearts: they would there learn, that representation was the sovereign remedy for every disorder, the infallible security against popular discontent; let them learn this, and give to the people, not the "unreal mockery," but the efficient substance of representation.

He came next to consider the conduct of the House since the American war. When the India bill, which he had the honour to propose, was lost, was it because the bill was unpopular? By no means. Whatever odium had been afterwards excited against it, the people had then expressed no disapprobation. The right honourable the chancellor of the exchequer had no hand in its defeat; for, ready and able as he was to speak against it, it passed the House of Commons by a great majority. By whom, then, was it thrown out? Let the merit be given to those to whom it belonged — it was thrown out by certain bedchamber lords, acting under the direction of those who had access to advise the king. The dismission of the ministry followed the rejection of the bill, and the House of Commons adhered to the discarded ministers. The right honourable gentleman would surely allow, that the House, in order to execute its functions, ought to command respect. Did it command respect on that occasion? Was it respected by the crown, by the peers, or by the people? The advisers of the crown disregarded its remonstrances; the peers came to resolutions censuring its proceedings; and the people treated it not as their organ in the constitution, and the guardian of their rights, but as a faction leagued to oppress them, and with whom they had no common interest or common cause. Since that period the House had not only commanded respect, but praise, from those who were permitted to advise the crown, not by opposition, but by prompt obedience; not by a watchful and jealous guardianship of the interests of the people, but by implicit confidence in ministers, and pliant acquiescence in the measures of the court. Thrice had that House of Commons of which he had spoken, and which he should never mention but with honour, resisted the influence of the crown, and nothing then was talked of but a reform of parliament. The House of Commons had been now for nine years a complaisant and confiding body, and the cry of reform from those who were formerly the loudest and most active was

* See New Parliamentary History, Vol. xviii. p. 513.

heard no more. Reform was then the only thing that could save the constitution: the very sound of reform was now pregnant with the most imminent danger. When that House of Commons resisted the influence of the court, they were told that they were not the representatives of the people, and that they were not so chosen as they ought to be. The people felt that the charge was true in part, and were easily induced to give credit to the whole. Had that House of Commons been chosen in a less objectionable manner; had the people considered them as their representatives, could they have been so contemptuously treated and so ignominiously dismissed as they had been? No; the people would have seen that the cause of their representatives was the same with their own: they would have given them their confidence and their support.

But, it was said, a House of Commons so chosen as to be a complete representative of the people, would be too powerful for the House of Lords, and even for the king: they would abolish the one and dismiss the other. If the king and the House of Lords were unnecessary and useless branches of the constitution, let them be dismissed and abolished; for the people were not made for them, but they for the people. If, on the contrary, the king and the House of Lords were felt and believed by the people, as he was confident they were, to be not only useful but essential parts of the constitution, a House of Commons, freely chosen by, and speaking the sentiments of, the people, would cherish and protect both, within the bounds which the constitution had assigned them. In the case of the Russian armament, what had been the mode of proceeding? The minister thought proper to arm against Russia, and the House of Commons was called upon to vote the supplies. Were they allowed to inquire into the necessity of that armament, or to judge of its propriety? No; they were told that to ministers it belonged to judge, and to them to confide; and on this implicit confidence they voted the sums demanded of them. In the mean-time, the people shewed their disapprobation of a war with Russia; the minister adopted their sentiments; called on the House of Commons to agree with him in this change of opinion, and the House acquiesced. He would neither allow the House of Commons to judge in the first instance, nor, through him, look for the opinion of the people in the second. He was to collect the opinion of the people, and tell those who ought to be their representatives, and the organs of their sentiments, what that opinion was. The lesson thus held out to every man in the House was this: — "If you look for honour or for power, you must take care to conciliate the advisers of the

crown by a ready subserviency to whatever they require. If you presume to counteract them, you may enjoy the consciousness of serving the public without hope or reward; but from power and situation, from all the fair objects of honourable ambition, you are for ever excluded."

Having thus shewn that the House of Commons, as now constituted, was neither adequate to the due discharge of its duties at present, nor afforded any security that it would be so in future, what remained for him to answer but general topics of declamation? He had sufficient confidence in the maxims he had early learned, and sufficient reverence for the authors from whom he learned them, to brave the ridicule now attempted to be thrown upon all who avowed opinions that, till very lately, had been received as the fundamental principles of liberty. He was ready to say with Locke, that goverment originated not only for, but from the people, and that the people were the legitimate sovereign in every community. If such writings as were now branded as subversive of all government had not been read and studied, would the parliament of 1640 have done those great and glorious things, but for which we might be now receiving the mandates of a despot, like Germans, or any other slaves. A noble Lord (Mornington) had discovered that Rousseau, in his Social Contract, had said a very extravagant thing. He was not very well qualified to judge; for he had found the beginning of the Social Contract so extravagant, that he could not read it through, but he believed it was one of the most extravagant of that author's works. He did not mean to say that the noble Lord had produced an extravagant saying from Rousseau as a novelty; but it was somewhat remarkable, that an extravagant thing, from the most extravagant work of an extravagant foreign author, should be produced as an argument against a reform in the representation of the people of Great Britain. Reverence for antiquity was then appealed to, and gentlemen were asked, if they would consent to alter that which in former times had been productive of such important acquisitions to liberty. With equal propriety our ancestors might have been asked, if they would alter that constitution under which so great an acquisition to liberty as Magna Charta had been obtained; and yet, after the acquisition of Magna Charta, the condition of this country had been such as was rather to be execrated and detested, than cherished and admired.

When gentlemen talked of the danger of rash innovation, and the great advantages of temperate and slow reform, they might find all they had to say anticipated in a much more pleasant treatise than any of their speeches, viz. the Tale of a Tub, where brother Jack's tearing off the lace, points and em-

broidery from his coat, at the hazard of reducing the coat itself to tatters, and brother Martin's cautiously picking up stitch by stitch, exhibited an abstract of all their arguments on the subject. The Septennial act, in the opinion of many, had been the means of preserving the House of Brunswick on the throne. But had such a House of Commons as the present been then in being, what would have become of the House of Brunswick and the protestant succession? "What!" they would have said, "adopt so violent an innovation as septennial instead of triennial parliaments; do you mean to subvert the whole fabric of the constitution? Triennial parliaments were sanctioned at the glorious epoch of the revolution; to triennial parliaments we owed all the prosperity, all the glory of the reigns of King William and Queen Mary; to triennial parliaments were we indebted for the victory of Blenheim." As rationally might they have said, that to triennial parliaments they were indebted for the victory of Blenheim, as it might be now said, that to the right of Old Sarum to send members to parliament we were indebted for our annual exports being increased seven millions. If to such sources as these, national prosperity was to be traced; if for the essence of our constitution we were to repair to a cottage on Salisbury Plain; or, for the sake of antiquity more reverend, let us take Stonehenge for Old Sarum; then might we undertake pilgrimages to the sacred shrine, and tell each admiring stranger, "Look not for the causes of our envied condition in the system of our government and laws; here resides the hallowed deposit of all the happiness we enjoy; but if you move one of these rugged stones from another, the British constitution is thrown from its basis and levelled with the dust."—A right honourable friend of his (Mr. Windham, who was chairman of the Downton committee,) had been lately employed for many weary days in examining the divisions of burgage tenures, to be found in a trench at Downton. Had it occurred to his right honourable friend, that in this trench he was searching for the most essential principles of the constitution, the investigation would have been somewhat less irksome, the labour somewhat less fastidious.

The petition presented facts into which the House was bound to inquire, both in its legislative and its inquisitorial capacity. In the petition it was affirmed, that peers nominated members to seats in the House; and they had a standing order that no peer should interfere in elections. In the petition it was asserted, that bribery and corruption were openly practised at elections; and they had a standing order against bribery and corruption. Let the facts be inquired into, or these idle denunciations be expunged from their

journals. A select committee had reported bribery against certain electors of Stockbridge; and a bill of pains and penalties, which had been founded on that report, had been rejected. He was not sorry for it; he wished not to see a poor man punished for selling his vote, while the sale of seats was connived at. The corruption of an individual voter was undoubtedly an evil, but small in comparison of the mischievous effects which the sale of seats must produce on the minds of the sellers and the buyers, while both of them knew that it was contrary to law. Let the House inquire and put a stop to such practices, or avow their expediency and repeal the laws that made them criminal.

The lateness of the hour, the clearness of the case, and the danger of rejecting the motion, rendered it unnecessary for him to insist farther upon it. One word only with respect to the time. It was triumphantly said, by gentlemen on the other side, that ninety-nine out of every hundred of the people of England were well affected to the constitution, and he believed that they were right. Where, then, was the danger of inquiring into the defects of the constitution with a view of correcting them? Could they hope for some golden period, in which the proportion of the ill-affected would be less than as one to ninety-nine? The objection to the time was, therefore, a fallacy, a mere pretext for putting off what the House could not help seeing to be necessary, but felt unwilling to begin. This manner of postponing, on the most frivolous pretences, what could not be denied to be fit, was more properly the object of ridicule than of argument: the time must come when the House would be unable to disguise, even from themselves, the necessity of inquiring into the state of the representation; and then too they might perhaps give room for a new application of the poet's raillery on an individual ——

> "Let that be wrought which Mat doth say:
> Yea, quoth the Erle, but not to-day."

At four in the morning the House divided on Mr. Grey's motion, "That the petition be referred to the consideration of a committee."

	Tellers.			*Tellers.*	
YEAS	Mr. Sheridan Mr. Whitbread	41.	NOES	Mr. Powys Mr. Neville	282.

So it passed in the negative.

Renewal of the East India Company's Charter.

May 13.

THE House being in a committee upon the bill "for continuing in the possession of the East India company, for a further term, the territorial acquisitions and revenues obtained in the East Indies, and for making further provision for the government and security of the said territories, and the appropriation of the revenues thereof, and for the further continuance of the exclusive trade of the said company, under certain limitations and restrictions, and more effectually securing the benefits thereof, and for applying part of the funds of the said company in the reduction of their debts, and appropriating the residue thereof for the benefit of the public, and of the said company, pursuant to an agreement made for that purpose,"

Mr. Fox said, he understood it was supposed by several gentlemen, that some objections were to be made to this bill before the Speaker left the chair, and that afterwards the clauses would be discussed; but, although he had great objections to the principle of the bill, as others might approve of the principle, and yet might have objections to some of the clauses, he had suffered the question for the Speaker leaving the chair to pass, that those gentlemen might follow their own ideas upon the subject without much impediment from him, particularly as what he had to urge might come at a future stage of the proceeding. He did not, however, wish to let one opportunity pass without entering his protest against some of the provisions of the bill. It was thirteen years since the sentiment of the public had been expressed in that House—"that the influence of the crown had increased, was increasing, and ought to be diminished;" and he was sure, there was as much reason for that resolution now, as there was at that time. He objected, he said, to the mode in which this bill tended to extend that influence; and he must now call upon all those who in the year 1780 declared, that the influence of the crown ought to be diminished, to compare the influence then, and the influence now; and then to say, whether they could consistently vote for the clause which gave the nomination of three officers to the crown; whether they who voted for a bill brought in by a right honourable gentleman, (Mr. Burke,) a bill which would do him immortal honour; whether those gentlemen, he said, who had at that

time entertained the sentiments they then professed upon the increase of the influence of the crown, could now vote for a measure which so obviously tended to increase that influence.

He maintained, that the clause empowering the crown to nominate officers to act under this bill, and who were to be paid large salaries by the company, was wrong upon the principle of it. He thought that in all public situations, where officers were appointed to any place of trust, the public ought to pay them, because while the payment came from the public purse, the public had some check, by their representatives, over the conduct of such officers; but, by this bill, the public were to pay circuitously and obliquely, by and through the medium of the company; for the payment of these officers was so much in diminution of what the public would otherwise receive from the revenues of the company. He felt this, and he must add, that in proportion as the House felt the influence of the crown to be great, they should be impressed with a sense of their duty not to increase it. He had heard it said on former occasions, that the gentlemen acting in the affairs of India were mere birds of passage; if so, he was sure there could be no good reason for supposing that they would be less under the influence of the crown than if they were stationary, or that they were therefore the less likely to be corrupt. He should have other opportunities of delivering his sentiments upon this subject, and he should avail himself of them; but he took that occasion of calling the attention of the House to the point which he should afterwards take notice of. If gentlemen, who with him had voted, in the year 1780, upon the influence of the crown, had forgotten the reasons upon which the House came to that resolution—if they had forgotten all they formerly professed upon that subject, all he could say was, that he should do every thing in his power to refresh their recollection, and therefore it was that he wished what he had now hinted to be taken as a public notice.

May 17.

The report of the committee on the bill being brought up; on reading the clause to enable his majesty to appoint two additional commissioners for the management of the affairs of India, who are not privy councellors, and with certain fixed salaries,

Mr. Fox said, that when a clause of this alarming nature, with respect to influence, came to be discussed, he could have wished to have seen in their places those honourable gentlemen who had expressed their sentiments so strongly on former on

occasions against the influence of the crown. It was surely, on every account, proper that they should come forward, and give a decided opinion on this question: let them say whether they had altered their former opinion; or, if they have not altered it, which he trusted they had not, whether they could reconcile the support of such a measure as the present with that opinion. Persons in their high situations ought to attend and give their votes. He would wish to know from them, how far they thought it right to go, in cases of danger and emergency, in support of any plans brought forward by ministers; and whether they were never to oppose this shameless increase of influence. As to the thing itself, there were two very considerable offices, with certain fixed salaries, added to the patronage of the crown. It was, indeed, hinted, that perhaps some offices, belonging to another kingdom, held at present by persons in this country, would be taken off from the patronage here; but, be that as it might, would not the patronage of another country bear upon this? When the board of control was first appointed, it was said there were to be no salaries; and surely this country was never in a situation which called for stricter economy than when we were involved in war, and in difficulties of which we could not see a probable speedy termination. However great his personal respect for the honourable gentlemen he had alluded to, he could not but complain of their absence; and he called, too, upon all those who, in the year 1780, joined in the vote of that House, that the influence of the crown had increased, was increasing, and ought to be diminished, to come forward: let them say whether they were then right; and, if so, whether that influence had since decreased.

With respect to his majesty's privy counsellors, there were surely many of them who possessed lucrative offices under the crown, who might have leisure sufficient to attend to the business of the provisional board of control; such as the treasurer of the navy, the postmasters general, the treasurer of the sentiment of the [illegible] "that the influence not the case, the appointment of this board [illegible], and ought to [illegible]e manner it was held out at first, was nothing of [illegible] much reasoned upon the public. Mr. Fox said, he but a de[illegible] He [illegible] to take the sense of the House that night; was determi[illegible] then unsuccessful, to do so in any future stage and, if he was [illegible]re the forms of the House would permit him, of the bill, wh[illegible] is particular clause, as he was resolved it should with respect to th[illegible] fair opportunity had not been given to every not be said that a[illegible] his vote and opinion. If he limited his opgentleman to give[illegible]t, to that clause alone, it was not because he position, at presen[illegible]ny other parts of the bill, but because he did not dislike [illegible] to mix any other part of it with this. He did not wish [illegible]ther the[illegible]

did not wish to say any thing personal to the right honourable gentleman opposite to him, (Mr. Dundas,) who was not only treasurer of the navy, but also secretary of state and president of the board of control. He alluded to this for no other purpose than to ask if that right honourable gentleman had, for two years past, discharged the important duties of secretary of state, and at the same time had acted as president to the board of control, whether a treasurer of the household, or a postmaster general, might not have had leisure to act in the same capacity? He would only farther observe, that as it was held out that, when offices were divided, there should be additional salaries, it would seem to follow that, when they were united, there should be a saving to the public, though he had never heard that this had taken place with respect to the right honourable gentleman, or that he did not receive the salaries and emoluments of all the different offices held by him.

The House divided: for the clause 113: against it 42.

May 24.

On the order of the day for the third reading of the bill,

Mr. Fox said, that having before delivered his opinion upon the subject of the amendment, which he meant to propose, he would not trouble the House with a repetition of the arguments on which he founded that opinion; but as he had given notice that he should again object to that part of the bill which went to the creation of new offices in the gift of the crown, in order that those with whom he had formerly concurred in a vote for reducing the influence of the crown, might have an opportunity of delivering their sentiments on the proposed increase of that influence, he certainly should take the sense of the House upon it. If they still concurred with him in the opinions they had formerly professed, it became them, like men who acted from a sense of duty, unbiassed by any temporary motives, to maintain those opinions by their votes on the present occasion. If, on the contrary, their opinions had changed, if they had abandoned the principles upon which he and they had formerly combated the increasing influence of the crown, it became them, in that case also, as men who acted from conviction, to avow that change, to explain the reasons of it, and to confirm it by their votes. In no case could he conceive it to be proper or consistent with their duty and their character, to absent themselves, and leave persons who were less inclined to put a candid construction on

their motives than he was, at liberty to suppose that they were either afraid to avow the change that had taken place in their opinions, or that, if they still adhered to them, they were unwilling, on account of some peculiar circumstances at the present moment, to take that part which their duty required. At all events, he had done his duty, by giving them this opportunity of delivering their sentiments, and should content himself, without farther trespassing on the time of the House, by moving to leave out the words "and such two persons as his majesty, his heirs, and successors shall think fit."

After Mr. Sheridan had said a few words, the House divided on the question, "That those words stand part of the bill."

	Tellers.			*Tellers.*	
YEAS	Mr. J. Smyth Mr. H. Hobart	123.	NOES	Col. Fitzpatrick Mr. Whitbread	30.

The amendment proposed by Mr. Fox was consequently rejected. After which,

Mr. Fox again rose and said: When, Sir, the subject was first brought under the consideration of the House, I did expect, that a committee of inquiry would have been appointed, to call for and to examine the requisite evidence, which could alone enable us to form our opinions upon so important a subject, as the government and trade of India; and I did expect, that from such a committee a report would have issued, founded upon the whole of this evidence, and that, upon the different branches of the subject, the House would have sat, and solemnly and deliberately determined, what that system is, which is required for the administration of our Indian empire and trade. Was this the case? Nothing like it! On the contrary, the only evidence before the House, that I know of is, that some weeks past, a capital speech was made by the minister for India, giving a general account of the government and trade of our provinces, and pointing out the propriety and necessity of renewing the company's charter, and so forth. In this capital speech, not a word was heard of the proposed increase of the influence of the crown, although this was a necessary consequence of the system which it recommended. To this increase I object, and I feel it to be my duty solemnly to protest against it, as fraught with danger to the constitution, and as a measure which could only have been devised by the most strenuous advocates for despotic power. Why is this influence dangerous? Because it is irresponsible. Is it to be placed in the hands of those who are to be vested with the real power? No: it is to be given to their agents and dependents, whose

responsibility, from the nature of their situation, it is absurd to speak of. Upon the ground of this objection, and of others which I shall presently state, I feel it to be my duty to oppose the whole of this bill, as disgraceful to its proposers, and, if adopted, to this House; as dangerous to the public in general, and repugnant to the principles of the constitution in particular.

Taking this, therefore, as the ground of his objection, Mr. Fox conceived it to be his duty to submit a few observations to the consideration of the House. Many of the members would recollect, and all of them must know, that in the year 1783, he had successfully pointed out the extraordinary influence then in the hands of the directors. At that period, however, as the influence was independent of the crown, he thought that it might be wise neither to increase it, nor to diminish it, but to leave it, as to quantity, where it then stood. A short time afterwards, upon a fuller view of the whole subject, he was decidedly of opinion, that it was highly improper to leave this influence with a commercial body, and that it ought to be vested in those, who, from their characters and situations, with respect to the public, were better qualified to exercise it. This was the leading provision in the bill, which he had the honour to submit to the House in 1783. The fate of that bill, it was now as unnecessary as it would be unavailing, to relate. But it was impossible for him to allow the accusations which had been, in his opinion, improperly and unjustly brought against him, to pass without refuting them, and reprobating them in the terms they deserved. These accusations were twofold: first, that his bill tended to lessen, and next to increase the influence of the crown, though in truth, it had neither of these objects in view. At that time he had stated, and he again repeated, that his object was to take the power from the directors, where it was most improperly placed, and to vest it in commissioners, who were to be immediately under the controul of parliament. This was a subject, however, upon which he would not trouble the House at any length, as it was not immediately before them; but this was his only objection to enter upon the discussion. I am convinced, (said Mr. Fox,) that the more that bill is examined, the more it will meet with the approbation of the public. That bill had a defined object, a clear and precise meaning; the bill now under consideration is the reverse of it in every respect. It has no defined object, and it has a concealed meaning; for, under the specious pretext of avoiding the objectionable influence in my bill, it grasps at the whole of the patronage of India, in a way totally disconnected with responsibility.

Mr. Fox next observed, it could not be expected upon a third reading of such a bill, that he should enter at length into the subject. The manner, however, in which the right honourable gentleman who had brought in the bill had treated the point of influence was such, that he could not allow his observations to pass without taking some notice of them. It has been asserted, that the patronage of India consists in the appointment of a few writers. Now, if there is a man in this House, if there is a man in this country, if there is one man in any of the British territories in India, possessed of a spark of common sense, who can believe this assertion to be true, I wish him joy of his credulity. I ask any man who is not insane, in whom, if this bill shall pass into a law, will the whole of the patronage of India be vested? Will not the company and their directors be the mere tools of the minister for the time being? Who appointed Lord Cornwallis or Sir John Shore? Was it the company? No! it was the board of control. Is this, then, the boasted measure which is to lessen the influence of the crown, to convey no new patronage to the minister, and to give him no room to exercise his caprice or his prejudices in appointments in India? What in reality is this boasted bill? It is nothing but a continuation of that system of deception, fraud, and rapacity, which has marked the conduct of ministers in the management of the affairs of India. Have the House forgotten, or must I recall to their memory, the declaratory bill? Did not the minister for India then embrace the principle, of placing the whole of the territorial power in the crown, and of appropriating the revenues to the maintenance of the military establishments there; though the bill of 1784 had no such principle, nor any thing like it?—*Ex pede Herculem!*—The declaratory bill was founded on the 11th clause of the bill of 1784, the object of which is only "to afford the board information respecting the company's affairs abroad, and to require the company to pay due obedience to such orders as they shall receive from the board, touching the civil or military government and revenues of the British territorial possessions in the East Indies." The provisions of the declaratory bill, however, gave to ministers the uncontrouled power of appropriating the revenues of India to such military establishments as they should think fit to create or employ. The declaratory bill thus professed one thing, and by its provisions effected another.

Having referred to the preamble and the provisions of the bill, he asserted, that obtaining farther information respecting India was its professed object, but vesting the power and revenues of India in the crown its real object, and then

pronounced, that the present bill was a continuation of the system of delusion, fraud, and rapacity, which had been introduced by the bill of 1784, and by the declaratory bill. The present bill pretended to wave all patronage, whilst it, in fact, grasped at patronage of every description. It affected to say, that responsibility was to be attached to those who were to exercise power; but, in fact and in truth, it gave security to corruption, and a facility to the exercise of corrupt practices. This, (said Mr. Fox,) I am entitled to affirm, because it will enable the minister to engross the whole power, and yet screen him from all responsibility. Every thing, by it, is to be carried on by agents, who, from the nature of all governments, never can be made responsible for the corruption of those whose commands they obey. Upon these grounds, I protest against the whole of this system; but as it may be expedient to renew the charter of the East-India company for a short time, I would propose, as an amendment, "That instead of the words one thousand eight hundred and eleven, the words one thousand seven hundred and ninety seven, be inserted," being four years, the same period which I fixed on as necessary in making an experiment, under my own bill.

In a commercial and a political light, Mr. Fox objected against the whole of the proposed system. In a commercial light, it pretended to give an exclusive privilege, and yet admitted provisions which counteracted the whole of this privilege; so that, whatever commercial plans might be adopted in India, and however wise they might be, they might be overturned at the caprice of the board of control, though this board might know infinitely less about the business, than the agents whom they were controuling. In the end, such an absurd measure must destroy the very spirit and vigour of the commerce. In a political light, he protested not less strongly against the whole of this bill, because the power was to be left in hands where there was no responsibility, and because he considered the whole system to be dangerous to the constitution, if not subversive of it. Upon these grounds Mr. Fox concluded, that he must take the sense of the House on the amendment which he had proposed.

The amendment proposed by Mr. Fox was opposed by Mr. Pitt, after which it was rejected on a division, by 132 to 26.

State of the Impeachment against Mr. Hastings.

May 30.

ON the 28th of May a committee was appointed to consider the state of the impeachment against Mr. Hastings. The report of the said committee having been brought up on the 30th, a motion was made by Mr. Charles Townshend, "That a message be sent to the Lords, acquainting them with the reasons why this House cannot proceed on the trial of Warren Hastings, Esq. at the time appointed; and to desire that the same may be put off to a further day." This motion being opposed by Mr. Wigley, on account of the delay it would occasion,

Mr. Fox said, that the learned gentleman had opposed the motion now before the House upon fair ground, namely, upon the ground of delay; that delay he had pretty plainly imputed to the managers: the question, therefore, must be, with regard to that learned gentleman's objection, whether the managers had been guilty of any unnecessary delay, on their part, in the course of this trial? First of all, he begged leave to protest against the truth of the allegation, and to declare, that to his knowledge there had not been, on the part of the managers, any delay whatever. He did not say that there had not been delay some where, nor that such delay might not have been necessary; all that he asserted was, and he pledged himself to prove it before he sat down, that whatever delay there had been, or whether it was necessary or unnecessary, it did not proceed in any one instance from the managers. Supposing therefore, for a moment, that this was the case, which he promised he should be able to prove, he would then ask, whether there was a man in that House, or in the country, who knew any thing of the nature of this proceeding, who did not know that that which had taken up so much time already for evidence, did not also require great time for deliberation? Was it not possible that there might be more evidence to be offered on the part of the prosecution, when that on the part of the defence came to be deliberately examined, in order to rebut the evidence on the part of the defendant? Did not this rule apply to the other side, when the prosecution was closed? Did it not apply to all judicial proceedings, and more particularly to those of a criminal nature? Let the House look at the course of the trial from its commencement. On the part of the managers, much of the time had been taken up in reading the articles of charge,

and the evidence to support them. Let them look also at the different mode adopted for the other side. On the part of the prosecution, the whole of the evidence, at the request of the defendant's counsel, was read at length. On the part of the defence, various parts of the evidence were entered as read, for the purpose of saving time, referring to volumes of evidence to be printed by the managers before they should proceed to reply. The managers might have insisted on the evidence for the defence being read at large, like that on the part of the prosecution; but, for the purpose of avoiding delay as much as possible, they had consented to this expeditious mode. He was not blaming the counsel for the defendant for insisting on all the evidence from books on the part of the prosecution being read at full length; perhaps they were very right; but, then, he expected that there should come from that quarter no complaint of delay afterwards, especially when out of favour to them, the managers had consented to shorten the evidence on the part of the defence, and to give it all the effect it could have from being read, by consenting to enter it as having been read at the trial, and consequently printed with the other evidence. This the counsel on the part of the defendant could not have done without the consent of the managers, and yet those very managers, who had been compelled to go through their own evidence at full length, because the counsel for the defendant insisted upon their doing so, and who had consented to accommodate the defendant with the best mode of managing his defence, because his counsel desired it for the sake of expedition, were now to be charged by these very counsel with having wilfully caused delay on the present trial!

But it had been said, that the managers had occasioned delay, by proposing questions which could not regularly be asked, that the opinion of the judges had been often given against them upon that occasion, and that they had offered evidence which was inadmissible. Upon this he must confess, that if there was any reproach to attach to the managers for such conduct, he was ambitious of having his share of it, and he claimed a great one. He should not now say any thing upon the opinions of those who thought the proceedings of the managers vexatious in that respect; but would be contented with observing, that whatever their lordships might think upon the propriety of refusing evidence offered by the managers, he thought that the managers would have been highly reprehensible if they had neglected to tender it, and that the general ground for refusing to receive that evidence appeared to him ridiculous, and the argument upon it preposterous; for it was said, that although the evidence in itself

might amount to something, yet it would not raise a degree of presumption in its favour to entitle it to admission, thus taking the weight of evidence as an argument against its competency; and with respect to the opinions of the judges, he could only say, that the managers never knew the principle on which they proceeded, as they always gave those opinions before the lords, shut up in their chamber of parliament, to the absolute exclusion of strangers; consequently, from such opinions given in the dark, and to the managers totally behind the curtain, they had no rule for their guidance and improvement, and therefore they were obliged to persist in every question they put that might have been objected to by the defendant's counsel, not knowing what the judges would approve or what they would disapprove.

The next consideration was, upon the matter of fact, with respect to the time which the discussion of this impeachment had already taken up. It was said, it had lasted six years. It had so: but how many days had been employed in that period? Only 116. In one year only 20 days had been allowed. If the lords required any extraordinary diligence from the managers, their lordships, from the example they gave, did not require that diligence with a very extraordinary good grace. The managers, however, did not wish to be extravagant in their requisitions to their lordships; for they asked only for a week, upon important ground, for proceeding upon this trial, although the lords had taken months for themselves without condescending to assign any ground whatever. How stood the case with respect to speeches before the lords upon this trial? Upon the Benares charge, which he had the honour of opening, he spoke only one day, and an honourable friend of his another day. Two days were consumed in speeches from the managers on this point: eight were taken up by the counsel for the defendant in answering them. He did not say that the counsel took up too much time; he dared say it was too little for the business they undertook; but he mentioned this to shew how the truth was with regard to the question of delay.

Another thing was to be noticed upon this trial, and it arose out of the circumstances of its commencement. When the lords said to the managers that they should not ask for judgment charge after charge separately, but that Mr. Hastings should hear the whole of the charges to be exhibited against him before he should be called upon to make a defence to any, — why was this rule not to be followed with respect to the managers in making their reply to the defence of Mr. Hastings? Why was one rule to be followed by the defendant, and another to be marked out for the prosecutors?

For, according to the mode allowed Mr. Hastings for his defence, the managers ought to have time to peruse the whole of the defence before they proceeded to reply to it. And, if the counsel for the defendant required time to answer the speeches of the managers and to rebut the evidence called for the prosecution, why was there not to be time for the reply in the same manner? He would go farther, and say, that even if he had known a good while ago that the defence would have been closed at the time it was, he was then entitled to think and expect from the conduct of the lords, upon former stages of this trial, that they would not have called upon the managers for their reply till the next session of parliament. How stood facts upon this point? On the 14th of February, 1791, the House of Commons sent a message to the lords, importing that they were ready to proceed upon this trial. What were their lordships pleased to do? Not a word was heard from them until the 17th of May, and then, it might be supposed, they made up by their activity for their past neglect. How stood the fact? How many days did their lordships allow the managers to proceed upon this trial in the whole of that year? Only four; and on the 30th of May their lordships' diligence closed for the session. Did they then tell Mr. Hastings, that he must make his defence to what had been exhibited against him in a week, as they called upon the managers to reply? Nothing like it; for they allowed him till the next year to prepare it. Was there one law for Mr. Hastings, and another for the managers? He confessed, that, upon every view he had of the subject, and from the conduct of the lords, he fully expected that they would not have called upon the managers for their reply until the next session.

Another part of the business had been alluded to by the learned gentleman, which was, that Mr. Hastings had been obliged to request his friends to come down to the House on the day of trial in time to form a House, to prevent delay that must otherwise have happened. Upon this he must say, that there might, out of the 116 days which had been taken up in this trial, be three or four on which the lords might have waited for the Commons for, perhaps, the space of half an hour. This, he presumed, was not very disgraceful to the managers, nor very extraordinary, for on some days the chancellor did not come before three o'clock in the afternoon, frequently at one, and if he should by accident, without any intimation to the managers, be in the hall at twelve, it was not very surprising that the managers were not in court much before one o'clock. If this was laid as matter of blame upon the managers, he did think the weight of the accusation not more than they could very well bear, without thinking them-

selves likely to be weighed down by it. It seemed, however, that now Mr. Hastings called for expedition in the course of this trial, in hopes of having final judgment this session. Was there any body possessed of the least knowledge of the subject, who had the most distant idea that final judgment could be obtained in this mighty business this session? If there was, he confessed himself bound to admire his candour, and his confidence in the diligence of the Lords.

The most remarkable part of the objections now started against the delay of the managers was yet remaining. It was pretended that the managers must know, or might have known, the whole of the evidence long ago, for that the whole of it might have been printed. To which he answered, that was impossible, for a great part of the evidence on the part of the defence had not, by the express desire of the defendant's counsel, been heard as yet, by any body in that court, having been carried on from page to page, and entered upon the trial as read, to be printed hereafter; and even this could not be ready for their lordships before the very day on which they had called upon the managers to appear in Westminster Hall to rebut it; and how could the managers do justice to that House, to themselves, and to the public, under such singular circumstances, if they were to comment upon evidence which they had never heard? With regard to the speeches of the learned counsel for the defendant, he confessed himself unable to reply to them also, without time to read them from the transcript of the short-hand notes taken at the trial; for under the idea of being allowed to have that advantage, he had waved the thought of taking full notes himself; and he must say, that however great and splendid might be the talents of the learned gentleman who spoke last, he did not think that even he would be well pleased if he was called upon to reply without the assistance to which he alluded. Was it, therefore, fit that the managers should now be called upon to reply in this situation? Were they to comment upon 206 pages of evidence which they had not, and which they could not have read? Were they to reply to speeches which took up altogether nearly twenty-four hours to deliver without reading them, and weighing the arguments contained in them? He confessed himself unable to do so in less than a fortnight; more he did not require.

There was another point which he had hinted at before, which was, that it was possible that evidence would be produced in reply, and yet gentlemen persisted in saying, that the managers ought to go on without farther time, before they had seen all the evidence on the part of the defence. How was it possible to know what the evidence, which had been

entered as read, might turn out to be? When gentlemen came to consider these points properly, he hoped the time the managers asked would not appear too much, and that they were not guilty of delay in taking it, if allowed. He was ready, after the time proposed, to proceed upon the subject of the Benares charge; at the same time, he doubted the expediency of it. But, with regard to the other charges, he must say, it appeared to him to be neither consistent with the character of that House, nor with justice, to proceed upon the others, until much more time was taken to consider of the whole of the defence which had been made to them; rather than attempt to answer the defence, it would be better not to answer at all, but to leave the case as it stood, and call for judgment on it. He was, however, far from being sure that even that would be of any avail to the defendant, for the purpose of having judgment in the present session.

Having made these observations, he must say, he was glad that this debate had taken place, and he was under some obligation to the learned gentleman whose opposition had produced it, because it had afforded him an opportunity of proving what he trusted he now had proved, and what he had often asserted, that the more this subject was investigated, the clearer it would appear, that whatever delay there might be, none of it was imputable to the managers. On their part there had not been an attempt at any dilatory proceeding. He defied any man, in any situation, however great his talents or abilities, to prove that the managers had neglected any part of their duty in the course of this arduous proceeding, or to impute to them any corrupt motives, or to shew what inducement men, situated as they were, had to have any corrupt motives upon this subject.

The motion was agreed to, on a division, by 87 to 42.

MR. WHITBREAD'S COMPLAINT OF A LIBEL ON THE MANAGERS OF THE IMPEACHMENT AGAINST MR. HASTINGS.

June 12.

MR. Whitbread called the attention of the House to a paper, called "The World," dated the 27th of May, containing a scandalous reflection on the managers appointed by that House to

conduct the impeachment against Mr. Hastings. It was there stated, that a right reverend prelate, (the Archbishop of York,) had said, "that it was impossible for him to sit silent, to listen to the illiberal conduct of the managers; that they examined a witness as if he was not a witness, but a pickpocket; and that if Marat or Robespierre were there, they could not conduct the impeachment in a more scandalous manner, &c." This, Mr. Whitbread said, was highly indecorous, and an insult not only on the managers, but also on the House of Commons itself; and they could not expect the House to think highly of them, if they did not vindicate their own dignity, and take such steps as might lead to punish the propagators of such scandalous calumny. He could have wished to have confined his motion to the person who uttered the words; but he found that to be impossible, and that he must move for the prosecution of the printer of the paper in which they were reported. Indeed, the printer had thought fit to make comments on these words, and those comments were such as tended to justify the language. Here Mr. Whitbread read the comments, and contended, that the House ought to take the matter up seriously, both with regard to the printer and the right reverend prelate; the one for the comments, and the other for uttering the words. That the archbishop had made use of very scandalous expressions, he could prove; for he had been at the pains of procuring a transcript from the short-hand writer's notes taken at the trial. They stated, that after the examination by Mr. Burke, of a witness on the 25th of May, the archbishop had said, "Upon my word, my lords, this proceeding is intolerable; the gentleman at your bar is treated like a pickpocket; and if Marat or Robespierre were in the box, they could not conduct themselves in a more improper manner than I have often witnessed in the course of this trial." This was the substance of what the right reverend prelate had said. Mr. Whitbread then expatiated on the impropriety and indecency of these expressions, and called upon the House to support the managers and their own dignity. The mode which he should propose appeared to him to be the only one which the House ought to adopt upon this occasion. It was, to address his majesty, praying that the attorney-general might be directed to prosecute the printer of this paper, and then to institute an inquiry, in form, whether the words alluded to had been uttered, when, where, and by whom. — The said newspaper was then delivered in at the table, and the paragraphs complained of therein being read, Mr. Whitbread moved, "That the said paragraphs contain matter of a scandalous and libellous nature, reflecting on the conduct of the members appointed by this House to manage the impeachment against Warren Hastings, Esq." The motion being seconded by Mr. Francis, was opposed by Mr. Secretary Dundas, who concluded his speech with moving, "That the House do now adjourn." — Mr. Windham felt so strongly the necessity of supporting the managers, that if the honourable gentleman who made the first motion should think fit to persist in it, he should vote with him, though he could wish for an adjournment. — Mr. Burke, after assuring the House that the motion

was concerted without the smallest application to him, adverted to the mischievous tendency of the words in question, and of numerous paragraphs, which had appeared from time to time upon the managers of the impeachment ever since it was commenced. He was sure the House would at last be compelled to deal with a heavy hand with the authors, printers, and publishers of these scandalous libels. With regard to the original proposition, he could not accede to it; for he should never agree to send into the court of King's Bench the trial of the privileges of that House, because that House was able, and ought always to be ready, to vindicate its own privileges. He said he should not vote at all upon the subject, and came to the House chiefly for the purpose of repeating his protest against committing the privileges of that House to any tribunal under Heaven, except its own, which was always to be enforced by attachment.

Mr. Fox said he felt himself in an unpleasant situation with repect to the subject now before the House, not agreeing exactly with any gentleman who had spoken upon it. If the doubts expressed by the right honourable secretary could be proved to be well founded, he should feel no difficulty in assenting to the motion of adjournment; but he thought these doubts ought to be considered a good deal before the House determined that they were well founded. With respect to the short-hand notes which had been alluded to, he confessed he doubted whether they could fairly be deemed evidence upon which any person should be convicted; and upon a former occasion he had urged a variety of objections to that proceeding, but he was over-ruled by the House upon that subject. But let the House consider how that matter stood. When a question came before that House for the censure of a right honourable manager [Mr. Burke, for what he said against Mr. Hastings and Sir Elijah Impey upon the trial and execution of Nundcomar], the short-hand writer was called to the bar of the House, and asked questions upon his notes of the speech of the right honourable manager in Westminster-hall in the prosecution against Mr. Hastings; upon the evidence of these notes that right honourable gentleman was censured by that House. Now, a question arose upon this: Were the notes of a short-hand writer good for the purpose of proceeding to censure a manager of the impeachment of Mr. Hastings, and not good for the purpose of protecting him from a gross insult? But this was not all: there were other views in which this subject appeared to him, and they were more general than any he had yet heard upon it, and upon which he should be sorry if the House did not take this business up in a serious manner. With respect to the conduct of the right honourable manager, it was what he highly applauded: whether he should have had temper enough to conduct himself in the same way, was what

he exceedingly doubted; but he commended the right honourable gentleman for his conduct upon that occasion.

Having said this, he must now observe, that he looked farther than this impeachment, and felt some apprehension, not only for the character of that House, but also for the opinion the world might be led to entertain of the constitution itself, if something like justice did not appear to be impartially administered in this country upon the subject of libels. This was an eventful year: a great many libels, some upon the constitution, some only supposed to be so, and some upon other points, had been brought forward, and their authors, printers, and publishers, had been sentenced with a severity, with a degree of rigour, of inhumanity, that no danger that had threatened us could justify, no bad or false representation deserved, no calamity to be averted even called for. Now, if it should go abroad that there was, in fact, a principle which guided that House, such as had in his hearing often been to his mind foolishly and unconstitutionally asserted, that the House of Commons were ready to resent an insult from below, as they improperly termed it, by which they meant the people, and that they were ready to overlook an insult from above, by which was meant the other branches of the legislature—if, he said, such an impression was once felt, the result would be a conviction, that the House of Commons, in all its attachment to its privileges, proceeded to exercise them only against the people; and that with regard to the other branches of the legislature, the House of Commons observed a servile complaisance. He had often had occasion to make these observations upon several contests with the crown; and he could not help thinking that they ought now to be renewed, and that the people should have as little reason as possible to feel the truth and force of them. Should the case be otherwise, he should tremble for the fate of the constitution itself. He left the House to judge whether these observations applied at all at this time, when there was such a cry for supporting the constitution. The House would remember with what readiness some of the people were prosecuted for libels, and ask themselves, whether the words here spoken were not of that nature, and whether the only difference was, that in this case the insult came from a member of the House of Peers? With respect to the silence with which this matter had been treated by the right honourable gentleman, he must say he approved of it; but, then, that silence was of no avail, for who could conceal from himself, that through the medium of newspapers, it was become a matter of public notoriety, that the managers had been grossly insulted on the trial of Mr. Hastings by the Archbishop of York; and not the managers merely,

nor the House of Commons, but also the people of England, had been insulted. If the House were desirous to have it understood that the managers were not to speak on the trial of Mr. Hastings, but in such and such terms, and that if they spoke freely, the House would not support them when they were thus treated, he owned he thought they were hardly dealt with. When the House chose him as one of the managers, he was no stranger to them: they knew his way of thinking; they knew his manner of speaking: if they expected that he was not to speak with warmth and with as much energy as he was able, that he was not to describe vice in the most odious colours, and that with an express view of exciting all the resentment and indignation of mankind against the guilty, they would be disappointed while he continued to be a manager. He therefore had no idea of being compelled to conform to the fastidious taste of any peer, who might think this or that expression ungentlemanly: he must judge for himself, and employ the words which appeared to him to suit the subject on which he was speaking; and if the House disapproved of him, they could remove or censure him.

The question now remaining was, whether the House should, under all the circumstances before them, proceed to do themselves justice? If it could be proved, that that was at this time impracticable, he should consent to let the business end here; and upon that subject, he owned he did not feel himself entirely convinced by any thing that had been said: the inclination of his mind was, that they might very well proceed against the printer, and also against the right reverend prelate; and as to the mode of proceeding in general, he confessed that when the privileges of that House were invaded, he thought that the House alone were competent to decide the question: he was sure they would never be safe, nor of permanent existence, if any other mode of procedure was adopted. With respect to the printer of the paper in question, the punishment of him was not his object in this business, nor severity to the right reverend prelate, whose character in many respects was highly honourable, whose age entitled him to respect, and whose late domestic affliction made him an object of condolence. It was not the feeling of a personal resentment against the right reverend prelate that occasioned these observations, it was a consideration which, in a member of that House, ought to be paramount to all others—a regard for the honour of that House, and for the well-being and continuance of the best principles of the constitution of this country. Had the words been applicable to himself personally, he should have known how to forgive them long ago, if asked to do so. But he must have it understood, that if

any person spoke disrespectfully of the managers upon such a trial, he spoke disrespectfully of the people of England, and the House of Commons were obliged to stop such language, and, if they thought fit, to censure the author of it. He believed that no judge in any of the inferior courts of this kingdom would have suffered such words from one party to another; and the Lords ought to have censured the noble prelate after he uttered the expressions. If the House saw any difficulty in proceeding, they might suffer the matter to rest as it stood: he had given his opinion—he had done his duty—the subject he now left for the judgment of the House.

The House divided on the question, that the House do now adjourn.

Tellers.

YEAS { Mr. Jenkinson, Captain Berkeley } 60. —— NOES { Mr. Sheridan, Mr. Whitbread } 8.

Tellers.

So it was resolved in the affirmative.

MR. FOX'S MOTION FOR THE RE-ESTABLISHMENT OF PEACE WITH FRANCE.

June 17.

THE order of the day being read,

Mr. Fox rose to call the attention of the House to the motion respecting the war with France, of which he had given notice. He said he should not have troubled the House, nor presumed to have offered his sentiments upon the subject he was about to introduce, which related to the general situation of the country, if circumstances had not clearly required of him that he should do so. Before the prorogation of parliament it appeared to him absolutely necessary, that some decisive step should be taken respecting the discontinuance of a war, which had already been productive of the most serious calamities. If upon that day he neglected to recapitulate and enforce those arguments which he had formerly advanced; if upon that day he omitted to urge the impolicy of the war; if upon that day he passed over in silence the manifold evils with which the system of our confederacy was pregnant; he hoped that those who now heard him would not conceive that he had changed his

opinion upon the measures which brought about this unhappy war. Such a conclusion would be unjust, and he trusted no gentleman would draw it. He trusted the House would feel that if he waved all these topics, it was because he did not consider them as necessary to the illustration of the arguments he had to submit on the present occasion. He should, therefore, for the sake of argument, and for the sake of argument only, grant that the present war was a just, prudent, and necessary war, a war entered into for the interest of this country, and for the general safety of Europe. This was the broadest way in which he could lay a foundation for argument; and upon principles so laid down, he should state why he thought it necessary at the present time, and under the present circumstances, for that House to interfere and to give its opinion to the throne, in such an address as he should have the honour of moving. If there were any who thought that this might have a bad effect upon the public mind, all he could say was, that on his part it would not be intentional, as he was of a different opinion.

He had always understood that the grounds of the present war on the part of Great Britain were principally these: first, the particular alliance we had with the Dutch, attacked as they were by the French: secondly, not only this alliance, which in point of good faith called upon us to act from a regard to our own honour, but also on account of the interest we ourselves had in the issue. There was another ground stated, and that might be divided into parts, as, indeed, on former occasions it had been; he meant that which was stated upon the general footing of the aggrandizement of France, and the effect and operation of the spirit of their councils. These were the grounds upon which we undertook the present war. His object was now to shew, that upon none of these grounds could the war be continued. He knew he might, and perhaps he should be told, that we had been at considerable expence in this war already, and that we had met with considerable success in the prosecution of it hitherto; therefore gentlemen inclined to insist upon these points, would urge, that under such circumstances it was fair for us to say, that we were entitled to indemnity for the expences we had sustained, and security against future danger, or that if we had not these, the war should be followed up with vigour. That principle, as far as it regarded the situation of our allies, he did by no means deny; but the continuance of the present war for indemnity to ourselves and indemnity only, after the real object of the war was gained, could be maintained only upon prudential considerations. Now, taking it as a matter of prudence, he should wish to ask, what could we promise

to ourselves from the continuance of the present war? What was it that we proposed to gain? These were all the grounds he should have to submit to the House.

In the first place, therefore, he should apprehend from these premises, that whatever sentiments of indignation the people of this country might feel with regard to some of the proceedings on the part of France, (pretty generally the indignation was felt, and by none more than by himself,) yet he believed it was not in the contemplation of the people of this country, at the commencement of the war, to insist on giving France its old absolute monarchy, or, indeed, to insist on giving it any form of government whatever, or to interfere with any form of government that might be found in that country. He thought he was stating nothing more than the general wish of the people of this country, and what they felt at the commencement of the war, that the object of it was not that of giving, or insisting on, any form of government to France. He stated this point negatively, because it would tend to make the positive part which he should afterwards submit the more intelligible. We were not to revenge the death of the King of France, at least we were not to go to war for that purpose. Although he felt as much as any person in this country upon that melancholy occasion, and he believed, that in this country at least, it was an event unanimously lamented; yet it was not for this that we went to war. How far the indignation of the people had been roused upon that topic, it was unnecessary for him to repeat; it was sufficient in the present instance for his purpose to say, it was not the ground of our going to war, either insisted on by the most sanguine advocates for the measure, or by the still higher authority of the communication from the throne.

The object of the war avowedly was, to preserve Holland as our ally, and to prevent the aggrandizement of France, which was said to be formidable on account of the sentiments which appeared to actuate their councils. There was, indeed, another ground, which was, that the French had declared war against us. That being admitted to its full extent, would go only to the establishment of one principle — that of making the war a defensive war; by a defensive war he did not mean to describe the mode of carrying it on, for it must be carried on, as all mankind knew, by force of arms; but it was, on that account merely a defensive war in principle, which ceased with the occasion that gave it birth. And if he were asked, when was the time he would put an end to such a war? He would answer, when we could make our enemies desist from carrying on their operations against us; subject

to the consideration of an indemnity, if indemnity could be obtained; always keeping in view, that indemnity was also a point to be governed by considerations of prudence and discretion. If, therefore, we had no ground for suspecting that France had any farther means of acting hostilely against us, or any of our allies, we could not justify to ourselves the continuance of the war solely upon the ground that France had declared war against us. When we had put an end to the aggression, then was the time to put an end to the war so commenced. With respect to Holland, our ally, he must observe, that the question, whether Holland was now safe from any attack from France, was easily answered; and he believed that every man in that House, and every man of intelligence throughout the country, knew the answer to be in the affirmative. But whether in the present state of affairs the future safety of our allies, the Dutch, was to be secured by our pursuing the war in conjunction with the other combined powers, was a question not easily answered in the same way. How far, if this war was countenanced by us, the general safety of Europe would be preserved, was a topic he did not wish to decide upon, because it afforded, in his opinion, a prospect that could not be agreeable to any man who had the least regard for the principles of liberty — all he meant in this place was, that the Dutch, as well as ourselves, were at this moment sufficiently fortified and guarded against any attack from France. Was there a man this day in the country who seriously thought that, with regard to Holland and to us, peace could not be made with France with perfect safety?

He came now to the consideration of the general state of Europe at this moment. We attacked France, because our allies were attacked by her, and because we saw in the character and spirit of her councils, views of her own aggrandizement. Was this spirit, and were these views peculiar to France? Had we not witnessed the same spirit in other powers of Europe? Had not all parties in that House, had not all the people of this country, concurred in detesting the conduct of the present combined powers with regard to Poland? Was not that scene sufficiently infamous? Did it not exhibit sufficient tyranny, oppression and breach of faith? Could we conceal from ourselves the conduct of Russia and of Prussia upon that subject? Were we to partake of the infamy of that transaction? God forbid we should! Let us, then, ask ourselves, with all the indignation we naturally entertain against the conduct of France on many points, whether the conduct of the court of Berlin and the court of Petersburgh in their invasion of Poland, and afterwards the

partition of it, was not equal in infamy to any thing that France was ever guilty of? Upon this part of the subject he had a few observations to make to some members of that House, upon the alarm they expressed at the commencement of this session, at the progress of the French. What, he asked, did these gentlemen now feel when reflecting on the conduct and progress of the Empress of Russia and the King of Prussia? Was this matter of alarm to any of these gentleman? Alas! No. It seemed that nothing was now to be alarming but French principles. Such were the horrid effects of fear on account of these principles, and so far had it affected the Empress of Russia and the King of Prussia, that they had laid hold of Poland in the panic. He begged pardon of the House for introducing any thing ludicrous upon so grave a subject; but a story which he remembered, appeared to him so apposite, that he could not resist the temptation of reciting it: A person detected in the act of taking a watch out of the pocket of another, being accused of it, confessed the fact, but said in his defence, that he had been struck with a panic, and in his fright he had laid hold of the first thing he could, which happened to be the gentleman's watch which he conveyed into his pocket. If, in the present case, Poland was the first thing these great powers, Russia and Prussia, could lay hold of, such was the effect of these royal alarms, such the conduct of these panic-struck sovereigns, that in the spasms of their fear, they could not quit their hold, and having each an equal right to retain what they had within their gripe, most equitably agreed to divide the kingdom between them! Did gentlemen think themselves happy in seeing this mode adopted to resist French principles? Was this conduct less dangerous to Europe than that of the French? He knew many reasons why it was more dangerous. One was, that such a combination of despots was carried on with more secrecy, than in the wild state of a democracy was possible at any time. And here he wished to know what answer gentlemen would give him, if he asked, whether they thought, that, even if the French had been able to retain all they took, Flanders and Brabant, it would have been more dangerous to the general prosperity of Europe than this division of Poland? Or that now they were restored, and supposing them to be under the condition they stood in by the order of the Emperor Joseph, whether there was a man in that House of opinion, that our safety required the continuance of this destructive war?

As to Savoy, he should say nothing by way of comment upon the conduct of Great Britain: he believed that business had been commenced on the part of the French, without any thing

intended to be done by us, and certainly without any promise of assistance from us to the party attacked; and therefore we were not involved in any point of honour on that account. He had indeed been told, but he had no means of arriving at real knowledge upon the subject, that application had been made to us at that time, and that our answer on that occasion amounted to a flat negative. In short, he wished to ask gentlemen who heard him, whether, from all the circumstances put together, relative to this war at this moment, peace might not now be obtained from France, even with the restitution of the King of Sardinia's dominions? But he should think it hard if this country was bound to insist upon such terms. It might be asked of him, whether, after we had spent millions in the prosecution of the present war, and considering the situation we are in at the present moment, and likewise that the convulsion and distraction of the French make it improbable they would be able to proceed without destruction, we should make peace? He would answer—Yes. He did not think but that some indemnity might even now be obtained from our arms in the West Indies; but he called for peace as a matter of prudence on our part, under all the circumstances by which we were surrounded. And here he came to the melancholy part of the argument; for although no views of commerce could justify the continuance of any war, after the aggression that provoked it was at an end, yet views of commerce might induce us to conclude a peace as soon as we had obtained the object for which the war began, in all cases where our honour was not at stake, even although the terms were not such as we might originally have expected.

And now he must, however reluctantly, come to the present situation of this country. The desperate state of the disease might be judged of from the nature of the remedy which they had lately been called on to apply; and here he would desire them to ask every man, whether peace at this time was not indispensably necessary for the safety of this country in a commercial point of view? Let them ask every man in the kingdom, who had any commercial dealings, whether the accounts he received from all parts of the kingdom, did not call for a conclusion to this war? Let them ask every man possessed of the smallest information upon the subject, whether he ever heard of a war more destructive to the commerce of the country than the present? Let them see whether almost every manufacturing town in the kingdom did not give melancholy proof of the truth of these reflections. Whether the town of Manchester, and others in its neighbourhood; whether Wiltshire, and all the West, did not prove the same thing?

Some, indeed, had imagined that the city of Norwich had escaped from the mischief. But he was perfectly sure that if his honourable friend (Mr. Windham) who was immediately connected with that city, should take an opportunity of speaking upon this subject, he would acknowledge the truth of these assertions, although he had reason to fear he would differ in the conclusion he would draw. Let them, however, look at the real state of affairs: let them acknowledge, that a continuance of war might bring the greatest calamities upon us. Let them not ask themselves, what indemnity they ought to have of France; but what France had it in her power to bestow? What Europe had to bestow upon Great Britain that would recompence her for the shock that might be given to her commerce by continuing the present war?

He knew there were many who maintained, that the present war was not the cause of the present commercial embarrassments of this country; he did not agree with those opinions. But supposing them to be right, he would then say, that whatever was the cause of our distresses in that respect, we could not look with any rational hope of amending our condition without the advantages of peace; and he was ready to express his perfect conviction, that peace must be had for our recovery. Taking this for granted, as he must, he would ask, what it was that all Europe could give us by way of indemnity for our proceeding farther in this war. What was it that we were now fighting for? For our religion? It was not attacked. For our constitution? It was perfectly secure. What if France was distracted, was that circumstance of benefit to us? What if we made law to-morrow for France? What if we exacted indemnity? What had she to give? What had Europe to give to Great Britain for the prosecution of the war? He said, he saw no room for supposing that the House would not do him the justice to believe that he did not speak from any party warmth upon this subject. He thought, notwithstanding he had generally the misfortune to differ from the majority of the present House, that they would see upon this occasion the necessity of concurring with him in expressing an earnest disposition for the termination of the war; because all agreed in opinion, that whenever the object of the war could be obtained the hour of peace would arrive. What stood now in the way of peace? We had no alliance with Austria upon this occasion, nor any in that respect with the King of Prussia. With regard to Holland, any proposition for peace must be acceptable to the Dutch. But an alliance with the Empress of Russia had that day been laid upon the table; in that alliance there was an article he was sorry to see, by which we engaged not to lay down

arms but by mutual consent; and by which we might be called upon to adopt the principles of the court of Petersburgh, in the prosecution of the war: principles in themselves at all times very dangerous, but alarmingly so at this time, because we might be compelled to pursue the war until the objections of the empress were all removed. With respect to the treaty with the King of Sardinia, that was more direct and positive; but he should say no more upon these topics at this time, because that House had not yet adopted them. Another point remained.

Mr. Fox said, he knew the difficulty which had been often started with respect to peace. Upon this a question had been asked, whether we were to treat with France in its present state? To which he answered—Yes. With him, or them, be he or they whom they might, we ought, and ultimately must treat, who had the government in their hands: of this he was sure. If the contrary was true: if we treated with them only on a plan of our own, as to a form of government, we must be at war with them until we had beaten them; and we should in that case fight with them until they should obtain a legally established government. Good God! what was there in their proceedings that made us look for an established government among them? What reason had we to expect that event to take place? When and how were we to enforce it? Let them suffer the penalties of their own injustice—let them suffer the miseries arising from their own confusion—why were the people of England to suffer because the people of France were unjust? Why was every man in England to be a sufferer, because the people of France were in confusion, and that, too, when France had no power to annoy us, and when we could conclude peace with safety to ourselves and to our allies? If we were determined to say, we would not make peace with the French until they had a form of government of which we should approve, that would amount to saying, that we would dictate to them a form of government; and if that had been avowed at the beginning, he was confident the House would never have entered into the war at all; and although it was his majesty's undoubted prerogative to commence it of his own will, yet the House would have refused to pledge itself for supplies to carry it on. If he was asked, with whom we could have signed a treaty of peace some time ago? He would answer, with M. Le Brun. All those who had supported this war had agreed that peace, if it could be obtained, was a desirable object; and all that had been said or done by the national convention, every thing that had been said or done in the city of Paris, demonstrated this, that it had ever been the opinion of that people, that a peace with this country

was the most desirable of all objects for them to obtain. He owned, for his part, the necessity of this country being at peace with the French, and he was convinced, that all the people of England would see it in the same light very soon, unless they were ready to say they would pay for the follies of the French. It was a new thing to hear, that to be at peace with a people, we must be pleased first with the form of their government. He knew it was not wise to treat in general with those whose power was unsettled. This applied to treaties of alliance; but when peace was the object, this doctrine was not to be admitted, as, otherwise, we might be at war for ever.

He felt a considerable deference to others in speaking on parts of this subject now. From what he had seen some time ago, he knew there was a cry in that House for entering into this war; but he thought, that if ever there was a period when one man spoke the opinion of every man in this country upon any subject, it was now, when he said that peace was an object the most desirable of all others. He must say, that every measure should now be taken to put an end to this ruinous war. An immediate termination of it was almost the universal desire of the people of this country. Whether it was the opinion of that House or not, he could not tell; but he believed, that his opinion upon this occasion was, almost without exception, the opinion of the public. He did not advance this upon slight ground; he had very good authority for what he said, and he hoped it would be listened to with the attention which he was sure it deserved.

A report had gone abroad; how true it was, he did not presume to determine, because he had no means of accurate information; but certainly a report prevailed, and he knew there were many who thought, that some of the most efficient ministers of the crown, sensible of the distresses of the country, and the absurdity of continuing the war, were at the present moment friends to peace; and since he had considered of making the motion with which he should conclude his address to the House, some persons had told him, that he was supported in his opinion upon this war by some persons high in his majesty's council. Be that as it might, he did not say he wished for the sanction of this or of that man; he hoped that whoever favoured that opinion would be emboldened to persist, and then he trusted the crown would be advised in the cabinet to put an end to this war. If it should be so, it would give him the most heartfelt satisfaction. He knew that the opinions of many in that House might be an argument for changing the opinions of some of the members of the cabinet. He therefore thought it possible that by diligence, his object

might be gained. He confessed that he so earnestly desired peace, and saw the policy of it so strongly, that if there was any one of the council of the king who wished for it, whatever situation that person held, and if he said he thought the continuance of this war dangerous, and wished to put an end to it, such person for such a purpose should have his support; and he was in hopes that the motion he should make that night would strengthen that opinion. He was the more inclined to think that such would be the effect of it, from the experience of the past. They all remembered the American war — a war during a long period before the termination of which, there was great reason to believe, that not only the House of Commons and the people of this country, but also many of the efficient ministers of the crown, wished to put an end to it. Whether that was the case, as to the latter part, in the present instance, he could not tell; but this he would say, that whenever any minister should stand forth, and, regardless of the impression he should make upon the party on whose favour he might principally depend, avow his sentiments upon this subject — let it be the right honourable gentleman opposite to him, (Mr. Pitt,) — he would gladly join with him upon that subject, and afford him all the aid in his power. The American war afforded an awful example to the people of this country, and he hoped we were not doomed to endure another such calamity. He must once more call upon the members of that House to exercise their own judgment, to look at the small possible advantage to be gained, and the almost inevitable ruin of pursuing this war, and then to act with courage, and put an end to this dangerous and destructive measure. He hoped and trusted they would so act; and if they did, he was confident he should give consolation to them by the measure he was now going to suggest. Mr. Fox then moved,

"That an humble address be presented to his majesty, to lay before his majesty the humble representations of his faithful Commons on the present awful and momentous crisis; a duty which they feel themselves the more especially called upon to perform at this juncture, as a long and eventful period may probably elapse before his majesty can again have an opportunity of collecting, through their representations, the real sentiments and wishes of his people:

"In the name of the people of Great Britain, his majesty's faithful Commons are bound to declare, that they concurred in the measures necessary to carry on the present war, for the objects of defence and security, and for those objects only:

"That any plan of aggrandizement, founded on the present distressed situation of France, much less any purpose of establish-

ing among the French people any particular form of government, never would have had their concurrence or support:

"In expressing these their sentiments and opinions, on entering into the present war, his majesty's faithful Commons are sensible that they are only repeating those benevolent declarations which true policy, and a careful attention to the real interests of the British nation, induced his majesty to use in his most gracious speech from the throne at the beginning of the present session of parliament, and in repeated messages to this House:

"To represent to his majesty, that though his faithful Commons have the most perfect reliance on his majesty's sacred word and promise, solemnly pledged to this country and to Europe, not to interfere in the internal affairs of France, or to enter into the views and projects of other powers who, in the present war, may be actuated by motives far different from those which govern the conduct of his majesty, yet they feel it to be their indispensable duty to call his majesty's most serious attention to some of the circumstances which have occurred since the commencement of the present unfortunate contest:

"The French arms, which after a successful invasion of Brabant had threatened the security of his majesty's allies, the States General, have since been confined within their own territory, and are now occupied in defence of their frontier towns against the united forces of his majesty and his allies: the danger apprehended from the former conquests and aggrandizement of the French nation appears therefore to be no longer a subject of just uneasiness and alarm:

"Some of the powers engaged in the confederacy against France have, on the other hand, openly avowed, and successfully executed, plans of domination and conquest, not less formidable to the general liberties of Europe. The rapacious and faithless dismemberment of the unhappy kingdom of Poland, without having produced, as far as it appears to this House, any remonstrance from his majesty's ministers, has excited in his majesty's faithful Commons the highest indignation at so daring an outrage on the rights of independent nations, and the keenest solicitude to rescue the honour of the British government from the suspicion of having concurred or acquiesced in measures so odious in their principle, and so dangerous in their example, to the peace and happiness of mankind:

"The severe calamities which, since the commencement of the present war, this nation has already experienced, the shock given to commercial credit, and the alarming consequences which the failure of the mercantile and manufacturing interests threatens to the public revenue, and to the general prosperity of the country, cannot have failed to attract his majesty's attention, and to excite in his benevolent mind a sincere desire to relieve his subjects from distresses, a termination of which they cannot hope for but in the speedy re-establishment of peace:

"His majesty's faithful Commons make it, therefore, their most earnest and solemn request, that his majesty, taking into his consideration all the above circumstances, will not fail to employ the

earliest measures for procuring peace on such terms as are consistent with the professed objects of the war, and with that good faith, strict justice, and liberal and enlightened policy, which have hitherto so peculiarly distinguished the British nation."

The motion was supported by Mr. Hussey, Mr. Jekyll, Mr. William Smith, and others; and opposed at considerable length by Mr. Windham, Mr. Burke, and Mr. Pitt. After which,

Mr. Fox again rose. He confessed himself unable to resist the opportunity of troubling the House for a short time, even at that hour of the night, for the purpose of replying to some of the principal arguments that had been urged against his motion. If any argument against attempting to make peace was to be drawn from a supposed kind of tacit engagement of gratitude to the emperor for his assistance in saving Holland, there could be no end of the war. He should state to the people of England, and especially that part who could not judge for themselves, and were consequently most liable to be deceived, the truth on that subject. Was it meant, in plain words, that we were not to make peace till all the objects which the emperor might propose, should be fulfilled? If that was the fact, he wished in God's name to know, if we could be informed what those objects were? Were they just? Were they honourable? Were they to the advantage of this country? No! they were secret; and we were to spend our treasure and our blood to support that prince, to rob the Elector of Bavaria of his territories. The emperor had made no renunciation of all his objects; and since this court was to be drawn in to co-operate with whatever might be his views against France, it was a mockery in the king's ministers to disclaim intentions which they meant to carry into effect indirectly and circuitously, if not openly, in favour of the emperor. With regard to the manufacturers of this country, he did not deny that they might be incompetent judges on the present question; but though they were not competent judges as to the propriety of continuing the war, they must absolutely pay for its continuance. Then let us give them reasons for the measure; let us not delude them. But could that be done? No! for so far from being able to tell them what those objects were, the House had not inquired into them themselves. A right honourable gentleman (Mr. Burke) had declared, that the language which he had used that day ought not to be held unless it was to be followed by the drawing of the sword. After the language which that right honourable gentleman had himself applied to France, at a time when we were boasting of our neutrality, he confessed he did not expect such a reproach from that quarter. That right

honourable gentleman had spoken of M. Brissot in a manner not very creditable to himself. He had judged of him from the writings of his enemies; which was as unfair a test of his character, as it would be if any one were to judge of that right honourable gentleman's character from what had been written against him by Mr. Hastings's friends.

As to the character of the persons now holding the government of France, if that were to be urged as a reason for continuing the war while they should continue in power, was this more or less than proclaiming, that, so long as those men remained in power, we would continue the war to punish ourselves, and not them, for their crimes and enormities? This declaration, however, was much fairer than the argument of the right honourable the chancellor of the exchequer: for he had asserted, that if we could obtain reparation and security, the form of government in France would be no objection to our making peace, and, in his opinion, he had spoken well. But he had afterwards dwelt on the difficulty of expecting so favourable a circumstance. For his own part, he thought it much better to say, like the first honourable gentleman, that we must always wage war against such a power, than like the right honourable gentleman alluded to, who said, that the existence of the power in France would be no objection to peace, if peace could be properly attained, but afterwards insinuated the impossibility of its attainment. If he understood the right honourable gentleman aright, there were three species of security on which we might rely. The first was a change of power in France. Was that our object? If so, we were at war with France for the purpose of giving her a constitution. The second species of security was to arise from the persons in France still entertaining the same principles, but convinced by the chastisement they might suffer of the inefficacy of attempting to carry them into execution: but if our arms should prove victorious, as a supposition of that security implied, would a people who had thus severely suffered be thus easily convinced? The third consisted in a relinquishment of a part of their dominions; and if such were the object, had we not already obtained that species of security? If it were said that we must possess Normandy and Brittany, let ministers say so; and, extravagant as the declaration might appear, it would be intelligible. It had been asked by the right honourable gentleman, were we to stop, because they had stopped, when France, by stopping, had only ceased to do us an injury? and ought we not to chastise them for that injury? Yes. We ought to do both. We had chastised them, and therefore we ought to stop, because they had stopped. We had gained that species of indemnity

which the right honourable gentleman wished, by the capture of some of her West-India islands. Did that right honourable gentleman desire to prosecute the war farther, merely that he might be the tool to serve the unjust purposes of some German prince? In the course of his whole argument he had talked as if this country was suing for peace. This was weak. Was it suing for peace, when the proposition had first come from the enemy? With our miraculous successes and armies, the right honourable gentleman considered a proposition of that kind as having the appearance of suing for peace; but, under such circumstances, would it not appear more like making an offer to grant it? It would not be mean, but manly; not base, but magnanimous.

An honourable friend (Mr. Windham) had asserted, that asking for the object of a war previous to its commencement was a new principle. He begged leave to give that position (and he was sure his honourable friend understood him to be speaking logically, not personally,) the flattest contradiction. Whenever war was commenced, it had been usual to state some object on which that war was to depend. Was a dislike to the doctrine of the rights of men to be pushed so far, that the people were to be denied the right of knowing why they were to suffer the expences and distresses of war? One right honourable gentleman had said, that to make peace with France would be to make war with our allies: but, would not the example of overtures for peace from Great Britain be rather likely to produce a general peace on the continent? The right honourable the chancellor of the exchequer had said, that our distresses were but temporary: he hoped so too. He believed he had likewise said, that they were only imaginary: he (Mr. Fox) did not wish to give his word where it might not be taken; but if he were inclined to pledge his veracity to any fact, it would be to the direct contrary. That right honourable gentleman had called his speech at the commencement of the war a desponding one. He, however, did not think it was, under the existing circumstances. As to the principles of the French revolution, his opinion remained exactly what he had before stated, though he saw and detested their present scandalous perversion. The extreme, however, of their principles in favour of democracy was not worse than the species of principles which he had heard urged in favour of royalty. He thought, however, that of all the arguments that had been urged against royalty, none was more erroneous than that most popular one which rested on its expence. The expence of royalty itself was paltry, and not worth the attention of a great nation; but if the public were to be involved in the expences of a war for the

purpose of establishing royalty in another nation, it was enough to render them disgusted with royalty, and would give the utmost force to the revolutionary arguments on that subject. If there were persons among us who wished for the establishment of revolutionary principles in this country, he believed their numbers to be very few; to no description of men could his proposition be so odious as to men composing a party of that kind. It was a proposition abhorrent to their principles, and would inevitably crush them. It was only by war that such people and such principles could thrive. On the question of an interference in the internal concerns of France, he should freely declare his opinion. He thought that such an interference ought not to be the object of this country; but that if it were necessary as a means of obtaining our object, it ought not to be disclaimed. As to what he had said concerning a difference in the cabinet, he had spoken from the information of the right honourable gentleman's friends, in the newspapers, on the subject; and they had adopted a new mode of serving him by circulating such false reports. On the cabinet he, for his part, could expect to have no influence; but if what he could say on the part of the public ever had any influence, he hoped it would at this moment. He had now done his duty. He had attempted to check the torrent of that calamity which the present war had too fatally produced, and should persist in, and take the sense of the House upon his motion.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Hussey, Mr. Grey	47.	NOES	Mr. Windham, Mr. Jenkinson	187.

So it passed in the negative.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

January 21. 1794.

THE session was this day opened by his majesty, with the following speech:

"My lords and gentlemen; the circumstances under which your are now assembled, require your most serious attention.—We are engaged in a contest, on the issue of which depend the maintenance of our constitution, laws, and religion; and the se-

curity of all civil society. — You must have observed, with satisfaction, the advantages which have been obtained by the arms of the allied powers, and the change which has taken place in the general situation of Europe since the commencement of the war. The United Provinces have been protected from invasion; the Austrian Netherlands have been recovered and maintained; and places of considerable importance have been acquired on the frontier of France. The re-capture of Mentz, and the subsequent successes of the allied armies on the Rhine, have, notwithstanding the advantages recently obtained by the enemy in that quarter, proved highly beneficial to the common cause. Powerful efforts have been made by my allies in the South of Europe; the temporary possession of the town and port of Toulon has greatly distressed the operations of my enemies; and, in the circumstances attending the evacuation of that place, an important and decisive blow has been given to their naval power, by the distinguished conduct, abilities, and spirit of my commanders, officers, and forces, both by sea and land. — The French have been driven from their possessions and fishery at Newfoundland; and important and valuable acquisitions have been made both in the East and West Indies. — At sea our superiority has been undisputed, and our commerce so effectually protected, that the losses sustained have been inconsiderable, in proportion to its extent, and to the captures made on the contracted trade of the enemy. — The circumstances by which the farther progress of the allies has hitherto been impeded, not only prove the necessity of vigour and perseverance on our part, but, at the same time, confirm the expectation of ultimate success. — Our enemies have derived the means of temporary exertion, from a system which has enabled them to dispose arbitrarily of the lives and property of a numerous people, and which openly violates every restraint of justice, humanity, and religion; but these efforts, productive as they necessarily have been of internal discontent and confusion in France, have also tended rapidly to exhaust the natural and real strength of that country.

" Although I cannot but regret the necessary continuance of the war, I should ill consult the essential interests of my people, if I were desirous of peace on any grounds but such as may provide for their permanent safety, and for the independence and security of Europe. The attainment of these ends is still obstructed by the prevalence of a system in France, equally incompatible with the happiness of that country, and with the tranquillity of all other nations. — Under this impression, I thought proper to make a declaration of the views and principles by which I am guided. I have ordered a copy of this declaration to be laid before you, together with copies of several conventions and treaties with different powers, by which you will perceive how large a part of Europe is united in a cause of such general concern. — I reflect with unspeakable satisfaction on the steady loyalty and firm attachment to the established constitution and government, which, notwithstanding the continued efforts employed to mislead and to seduce, have been so generally prevalent among all ranks of

my people. These sentiments have been eminently manifested in the zeal and alacrity of the militia to provide for our internal defence, and in the distinguished bravery and spirit displayed on every occasion by my forces both by sea and land; they have maintained the lustre of the British name, and have shewn themselves worthy of the blessings which it is the object of all our exertions to preserve.

"Gentlemen of the House of Commons; I have ordered the necessary estimates and accounts to be laid before you, and I am persuaded you will be ready to make such provision as the exigencies of the time may require. I feel too sensibly the repeated proofs which I have received of the affection of my subjects, not to lament the necessity of any additional burdens. It is, however, a great consolation to me to observe the favourable state of the revenue, and the complete success of the measure which was last year adopted for removing the embarrassments affecting commercial credit.—Great as must be the extent of our exertions, I trust you will be enabled to provide for them in such a manner as to avoid any pressure which could be severely felt by my people.

"My lords and gentlemen; in all your deliberations, you will undoubtedly bear in mind the true grounds and origin of the war.—An attack was made on us, and on our allies, founded on principles which tend to destroy all property, to subvert the laws and religion of every civilized nation, and to introduce universally that wild and destructive system of rapine, anarchy, and impiety, the effects of which, as they have already been manifested in France, furnish a dreadful but useful lesson to the present age and to posterity.—It only remains for us to persevere in our united exertions; their discontinuance or relaxation could hardly procure even a short interval of delusive repose, and could never terminate in security or peace. Impressed with the necessity of defending all that is most dear to us, and relying, as we may, with confidence, on the valour and resources of the nation, on the combined efforts of so large a part of Europe, and, above all, on the incontestible justice of our cause, let us render our conduct a contrast to that of our enemies, and, by cultivating and practising the principles of humanity, and the duties of religion, endeavour to merit the continuance of the Divine favour and protection which have been so eminently experienced by these kingdoms."

An address of thanks, in approbation of the speech from the throne, having been moved by Lord Cliffden, and seconded by Sir Peter Burrell, a debate of great length ensued. After the proposed address had been supported by Mr. Sullivan, Mr. Hawkins Browne, the Earl of Mornington, Mr. Windham, and Mr. Secretary Dundas; and opposed by the Earl of Wycombe, Colonel Tarleton, Sir William Milner, Mr. Courtenay, and Mr. Sheridan,

Mr. Fox rose and spoke as follows: Notwithstanding, Sir, the lateness of the hour, I feel it incumbent upon me to trespass upon the attention of the House, by delivering my senti-

ments at some length upon a question in itself of the highest importance, and which, by the advocates for the prosecution of the war, has, in my opinion, been treated in the most confused and complicated manner. In the course of what I have to offer, I shall endeavour, if possible, to dissipate the mist, in which the subject has been studiously involved, and to call the attention of the House to what is the real state of the question. I shall once more endeavour to obtain an explicit declaration of the object for which we are engaged in war, that the people of this country may no longer be the dupes of artifice, and be made to believe that they are expending their money and their blood for one purpose, while in fact they are called upon to do so for another.

I hope that the noble earl (Mornington) will not deem me guilty of any incivility, if I say, that on this point, the last few sentences of his speech, long and eloquent as it was, were much more to the purpose, and afforded more valuable information, than all the rest. The noble lord has declared, in explicit terms, "That while the present, or any other jacobin government exists in France, no propositions for peace can be made or received by us." Such are his remarkable words, from which we are now, for the first time, to learn, that while the present government exists in France peace is impossible. Had these words been uttered last year, they would have rescued the nation from the degrading situation of having been drawn into the contest, step by step, of having been seduced by the arts of invective and delusion, and of having placed their confidence in men who did not blush to disguise the real motives of their conduct, and to disclose only such false pretexts as might tend to deceive and to mislead. We are thus at once to be betrayed and insulted, and after having been drawn into the war by artifice, to be told that we must persist in it from necessity. After having been made the dupes of false pretences, we are to be told that we are pledged to what those who have deceived us chuse to lay down as principles, that we have now gone too far to recede, and that we must continue to carry on war because it is impossible to make peace.

Such, Sir, is the situation in which we are placed. But let us look to the conduct and declarations of ministers last year. The right honourable the chancellor of the exchequer, in the course of last session, although he deprecated the continuance of a jacobin government, nevertheless declared, that he would not consider that as a bar to a negociation, provided the objects then held out, namely, the safety of Holland, and the exclusive navigation of the Scheldt, could be secured. The right honourable gentleman went farther, he

illustrated his doctrine by his practice; for he actually opened a negociation with persons deriving their powers from the then jacobin government of France. What, then, became of the argument, that there could be no safety for neighbouring states, no security for the observance of any treaty, while such government was permitted to exist? Ministers had treated both with General Dumourier and with M. Chauvelin, and if, in consequence of such negociations, peace had then been preserved, what must now have become of that reasoning which is so studiously brought forward to show that peace is impossible, and which must have applied with equal force at that time as at the present moment. But I shall, perhaps, be told that the appearance of negociation was merely fallacious, that its object was not to preserve peace, but the more easily to delude the people of England into a war. I shall, perhaps, be told, that the preservation of peace was neither expected nor intended by ministers as the result of their negociations; and indeed in order to be convinced of this it is only necessary to look to the manner in which these negociations were conducted. The means which they employed will best prove how far they were sincere with respect to the end which they professed to have in view. Did not the insulting and haughty correspondence of Lord Grenville with M. Chauvelin prove to the world that the British government had no wish to preserve peace? Did it not prove that they had begun a negociation which they had no intention to complete, that they were only seeking for pretences to reconcile the minds of the people to a war in which they had previously determined to embark? It now appears, that while they were so anxious to put the war upon the footing of protecting an ally, their object in reality was the subversion of the ruling power in France. Such were the arts by which they deluded this country into a ruinous war; such the false pretences which they set up in order to draw money from the pockets of the people for purposes in which they might otherwise not have been disposed to concur; and such the means which they employed to bring about a war, which they affirmed to be strictly defensive in its object!

Again, Sir, I will ask the question, though I own I shudder to hear the melancholy information; but if it be so, if the fatal die be cast, let not the country be left ignorant of its real situation; let it be unequivocally told, that we are engaged in a war, which can have no termination till we have exterminated French jacobinism, or, in other words, till we have conquered France. Is it at last decided, that we are to stake the wealth, the commerce, and the constitution of Great Britain, on the probability of compelling the French to re-

nounce certain opinions, for which we have already seen that they are resolved to contend to the last extremity? If such is the case, dreadful is our situation; but let us at least be apprized of our danger. And such, indeed, must be the case, if the majority of this House have come over to that system of extermination which last year was supported only by a few individuals, actuated by that sanguinary spirit which is the consequence of excessive alarm, and which at that time ministers, from motives of policy, thought proper solemnly to disavow.

I admire, Sir, the eloquence of the noble lord's peroration, but I must own that I heard it with much less satisfaction, as I could perceive it not to be altogether new, and that the manner of it had been exactly borrowed from certain speeches and reports that have been made in the French convention. And I cannot help remarking, that, from a sort of fatality, those who profess the most violent detestation for the principles and modes of expression adopted by the French, are continually copying them in their sentiments and language. The noble lord asked, what dependence could be had upon the religion of a Robespierre, the justice of a Cambon, or the moderation of a Danton? The answer of the French convention to his majesty's declaration appealed in terms not decent to be mentioned in that House, to the wisdom of one monarch, the good faith of another, and the chastity of a third. My honourable friend, (Mr. Windham,) in attempting to prove that the origin of the war was not imputable to this country, treated the established principles of the law of nations with as little respect as M. Genet, the French minister to the United States of America. My honourable friend said, that no dependence could be placed upon the authority of Vatel, with respect to the question of an interference in the internal affairs of other nations, and that arguments might be drawn from his work favourable to either side. He contended, that there might exist circumstances of such a peculiar nature, as to supersede authority, and preclude the application of established principles. Exactly in the same manner reasoned M. Genet; "I would throw Vatel and Grotius into the sea," said that minister, "whenever their principles interfere with my notions of the rights of nations." Just so, my honourable friend seems disposed to treat them whenever they controvert his ideas of those principles which ought to regulate our conduct in the present moment. Thus both, in order to suit their own convenience in departing from the established standard, give their sanction to a new code. I, however, more inclined as I am to adhere to the ancient standard, and to follow established rules of judging, hold the opinions of eminent

men, dispassionately given on subjects which they have accurately studied, to be of considerable importance. I consider those opinions formed under circumstances the most favourable to the discovery of truth, to be the result of unbiassed inquiry and minute investigation, and therefore entitled to great weight in regulating the conduct of nations. Those writers, in laying down their maxims, were not distracted by local prejudices or by partial interests; they reasoned upon great principles, and from a wide survey of the state of nations, and comparing the result of their own reflections with the lessons taught them by the experience of former ages, constructed that system, which they conceived to be of most extensive utility and universal application. From the system of such men I should be cautious to deviate. Vatel, than whom I know of no man more eminent in the science on which he has written, has laid it down as a principle, that every independent nation has an undoubted right to regulate its form of government. Upon this authority I last session reprobated the conduct of Austria and Prussia, in attacking the French, for no reason but because they were attempting to regulate their internal government—a conduct which has, I fear, been more fatal to the political morality of Europe than any thing the French have yet done. It is true, as my honourable friend (Mr. Sheridan) has stated, that the French are not alone chargeable with those crimes and calamities which we have beheld follow one another in such rapid succession. To them alone is not to be imputed that scene of carnage which has desolated the nations of Europe. Those who have been most forward to bring against them the charge of cruelty are themselves the accomplices of their crimes. I am not apt to think that war in general has a tendency to make men more savage than they were before; yet I must confess, that I regarded the manifesto of the Duke of Brunswick, upon its first appearance, as the signal for carnage and general war. I am no advocate for French cruelties; but, to the spirit breathed, and the declarations contained, in that manifesto, I can trace much of that scene of horror and bloodshed which has followed. For carnage, by whomsoever committed, I never can be the apologist; such a task is equally repugnant to my judgment and feelings, and therefore have I been anxious to keep myself clear of all concern in measures which have tended to lead to it, and to enter my solemn protest against those steps which I saw likely still farther to increase the effusion of human blood. It is some satisfaction to me to reflect that I had no share in that system of policy, which, in whatever motives it might originate, has in its consequences been productive of so many atrocities. I certainly, feeling a just

abhorrence for those cruelties which have disgraced the present age, will be better able to investigate their causes, and to discriminate their authors. They will look farther, perhaps, than to the sanguinary temper of a people who were seeking to establish their freedom; for the love of liberty is not necessarily connected with a thirst for blood. They will endeavour to discover by what means that sanguinary temper was produced: they will inquire if there was no system of proscription established against that people; if there was no combination formed, in order to deprive them of their freedom? Those who were concerned in framing the infamous manifestoes of the Duke of Brunswick, those who negociated the treaty of Pilnitz, the impartial voice of posterity will pronounce to have been the principal authors of all those enormities which have afflicted humanity, and desolated Europe. If this country has had any share in the detestable treaty of Pilnitz, she will not be acquitted of her share of the guilt. To that treaty I ascribe the origin of the war, and all its subsequent calamities. Can it be pretended, as has been asserted, that France has been in all cases the aggressor? Was she so with respect to Prussia? The proof to the contrary is obvious. We had a treaty of alliance with Prussia, by which we were bound to furnish certain succours if Prussia should be attacked. Were we called upon for those succours? No such thing. Sufficient evidence this that Prussia did not consider the war with France as a war of defence, but a war of aggression, voluntarily undertaken.

But whether we or the French were originally the aggressors, makes no great difference now. This much we know, that they offered to negociate, and that all their proposals were treated with a disdain, which could not fail to render peace impossible. Robespierre, that great authority, whom the advocates for the war never fail to quote when they find him on their side, accuses Brissot of having involved France in the war with this country. On the strength of Robespierre's impartial judgment in the case are ministers exculpated from the charge of having caused the war! Such are the authorities which their friends bring forward in their vindication, and such the arguments by which they attempt to defend their conduct! Upon the subject of acts of aggression, previous to the war, there subsists this difference between France and Great Britain: France was always ready to negociate; the British government invariably refused. France expressed the strongest dislike to war, and seemed anxious to take every step to avoid it; the British government shewed not only an inclination for war, but employed every measure that could tend to provoke hostilities. From the very

circumstance that Robespierre attached it as a crime to Brissot, that he was the author of the war, I draw a very different conclusion from that which has been attempted to be impressed upon this House. It shews, that even the most violent party in France were adverse to a war with this country. And in the charge brought against Brissot, I certainly coincide with Robespierre. Whatever might have been the views or the conduct of the British minister, he, as a wise statesman, ought certainly not to have induced France to declare against this country till the last moment. I clearly think that war might have been avoided. Such was the opinion which I expressed last year, contrary to the sense of the majority of this House, contrary to the voice of the nation at large, and contrary to the sentiments of some of those friends whom I most highly valued. Such was the opinion which I supported, at the price of any political weight I might possess in this House; at the price of any little popularity which I might enjoy abroad; and of what was still more dear to me, the friendship of those with whom I was most closely connected. However painful the sacrifices which I was then obliged to make, I repent not of what I then did; on mature reflection, I find as much solid satisfaction from the advice I then gave, and from the conduct I then pursued, as it is possible to derive from the consciousness that they were precisely such as they ought to have been.

But, Sir, the origin of the war is now a matter of secondary consideration. The first question is, how can it be concluded? My opinion still is, that we ought to treat with the present or with any other government to which the present may give place in France; while others contend, and an awful consideration it is, that no treaty with any modification of jacobin government can be secure. In discussing this question, it is my wish, if possible, to reconcile both sides of the House. A desire has been universally expressed, that an honourable and secure peace should be established; such also is my desire; and if peace cannot be concluded on such terms, I will then grant that the war ought to be carried on. But it remains to be proved that such a peace cannot at present be obtained. If I shall be able to show that it can, I shall then have established my principle, that we ought to treat with the jacobin government of France. The question of security I shall now examine, considering an attempt to negociate in the only two points of view under which, as appears to me, it can possibly fall. My own opinion, or rather conjecture, is, that peace may be obtained. But however well or ill-founded this opinion may be, we are to consider first, whether such a peace as may be supposed

attainable, is so desirable as to induce us to negociate; and next, whether a failure in the negociation will be attended with such dangerous consequences as ought to induce us not to hazard the attempt.

However, Sir, we may abhor the conduct of Frenchmen towards Frenchmen, whatever indignation we may feel against crimes at which humanity shudders, the hatred of vice is no just cause of war between nations. If it were, good God! with which of those powers with whom we are now combined against France should we be at peace? We, proud of our own freedom, have long been accustomed to treat despotic governments with contempt, and to mark the vices of despots with vigilant sensibility. Of late, however, our resentment has been most readily excited by the abuses of liberty; and our hatred of vice is very different on different sides. In France an old despotism is overturned, and an attempt made to introduce a free government in its room. In that attempt great crimes are committed, and language is ransacked, and declamation exhausted, to rouse our indignation, and excite us to war against the whole people. In Poland, liberty is subverted; that fair portion of the creation seized by the relentless fangs of despotism; the wretched inhabitants reduced to the same situation with the other slaves of their new masters, and in order to add insult to cruelty, enjoined to sing Te Deum for the blessings thus conferred upon them; —and what does all this produce? Sometimes a well-turned sentence to express our sorrow, or mark our disapprobation. But hatred of vice is no just cause of war, nor ever was among nations; and when I hear men declaim on the crimes of France, who know how to reason as statesmen, I cannot but suspect that they mean to deceive, and not to convince. But, it is next said, can a secure peace be made? The question is, I confess, difficult of solution. On the one hand, abstract consideration must be avoided; on the other, experience and precedent attended to as much as possible. Do I think that a peace, concluded with such a government, would be secure? Perhaps I do not think it would be as secure as I could wish for the permanent interest of this country; but I desire the House to recollect what has been the nature of almost every peace that has been made in Europe. From a retrospect of the circumstances under which former treaties were ratified, it will, in all probability, be as secure as any peace that has been made with France at any other time, and more so than any that they, who would make no peace without the restoration of the monarchy, can ever expect to make. The present rulers of France, it is said, have declared themselves our

natural enemies; and have contrived schemes, and sent emissaries to overturn our constitution. Was not all this constantly done by Louis XIV.? Was he not the declared enemy of our glorious Revolution? Did he not keep up a correspondence with the jacobite party among us; and endeavour, by force and artifice, to overturn our establishment in church and state? Had our new-fangled politicians lived in those times, they would have said, before the peace of Ryswick, "What! treat with Louis XIV. who has made war upon you unjustly, who has fomented treason and rebellion, who has attempted to destroy all that you hold sacred, and instead of a limited monarchy, and the protestant religion, to impose upon you the fetters of despotism and popery?" Such must then have been their language; but King William and his ministers would have thought those who held it fitter for bedlam than a cabinet. But, it is said, the jacobins have threatened to over-run Holland, and extend their conquests to the Rhine. And did not Louis XIV. invade Holland? Were his projects of conquest so moderate as to be confined within the Rhine?

The whole argument then comes to this, that you must be satisfied with the best security you can get, taking care that the power with whom you make a peace, shall have no temptation to break it, either from your misconduct or want of vigilance. The best security for Holland is, the emperor's possession of the Netherlands, and repairing the fortifications of the barrier towns, which he is bound by treaty to maintain. Whether the emperor shall be obliged to do this at his own expence or whether Holland and Great Britain shall assist him, is matter of future discussion; certain it is, however, that it will cost us much less than another campaign. If we look at the declaration to the people of France, the first idea presented by it, although afterwards somewhat modified, but again confirmed by the declaration at Toulon, is, that the restoration of monarchy must be the preliminary to peace. Now suppose that instead of the jacobin republic, some stable form of government, but not a monarchy, should be established, with which we might think it safe or necessary to treat, what would become of our promises to Louis XVII. and the people of Toulon? Then, as to our security, according to the declaration, as soon as the French have a king we will cease to make war upon them, and then they may set about modifications of their monarchy. But how are these to be made? Not, certainly, with a guard of German troops surrounding the hall where those who are to make them are assembled. France will then be left in precisely the same situation as she

was in 1789, from which flowed all the mischiefs that are now said to render it impossible for us to treat with them. Such is the notable security which the minister proposes to obtain!

The minister also promised at Toulon, or those whom he employed promised for him, to restore the constitution of 1789, and it was, in fact, restored there. Louis XVII. was not styled King of France and Navarre, &c. but King of the French, and all the authorities appointed by the constitution of 1789 were re-established. How did this agree with the conduct of our allies? While we were in possession of Toulon, General Wurmser entered Alsace, where he issued a proclamation, dismissing all persons appointed to offices under the constitution of 1789, and restoring, till further orders, the ancient system, which we are apt to call despotic. I will suppose a thing too absurd to be supposed but for the sake of argument, namely, that France is brought to submit to whatever we may chuse to propose. Must she have a king? She consents. Must that king be Louis XVII.? She consents. What, in this case, will be our security? Do ministers mean to restore to France all they may take from her in the course of reducing her to this submission? Do they mean to restore Valenciennes, Condé, Quesnoy, and St. Domingo? No: the secretary of state says not: he declares that you must have an indemnification for the expence of your services in the war. Admitting that Louis XVII. will in that case have a proper sense of gratitude, and that gratitude in kings is stronger than in other men;—a position, however, rather doubted; for although "as rich as a king," "as happy as a king," and many expressions of the same sort, are common sayings, the breasts of kings have not always been considered as the depositories of gratitude. The phrase of "as grateful as a king," is not yet proverbial. Yet, supposing that Louis XVII. would be as grateful as this country could desire, as monarchs must be subject to the voice of their people what would that voice be? That France was deprived of her former possessions, that she was shorn of her ancient lustre, and that no fair occasion should be lost of regaining what had been ravished from her. And thus France would seize the first opportunity of attacking us, when we might possibly have no ally but Holland, and when Prussia or Austria might be leagued with France.

Sir, will any man say that this is not the probable course of events? Unless, indeed, it can be shewn that princes are more honest and true to their engagements than other men; but from what history this observation is to be collected, I am yet to learn. I know, indeed, that there are certain high stoical sentiments, such as "We know what becomes us to do, and in that line of conduct which duty prescribes we are deter-

mined to persevere, be the consequences what they may." On such sentiments men may act, if they please, for themselves, but this House can have no right to act so for their constituents, whose interests they are always bound in the first instance to consult. Are gentleman ready to say that, sensible of all the calamities which must result from their adherence to their present line of conduct, they are nevertheless determined to persist, and to brave those calamities with their eyes open? There are causes, indeed, which dignify suffering; there are some occasions on which, though it is impossible to succeed, it is glorious even to fail; but, shall we expose that country, with whose welfare we are entrusted, to certain calamity and repulse; and all for a ridiculous crusade against the jacobins!

When I heard that the success of the campaign was to be made matter of boast in the king's speech, I thought it the highest pitch of effrontery to be found in the annals of any nation. Little did I imagine that his majesty would conceive it necessary to recapitulate from the throne all the successes obtained before the rising of the last session of parliament; successes of which we had been told over and over. If, however, these successes were estimated from June, when his majesty last addressed the parliament, to what do they amount? Or if, which is, indeed, the only rational mode of forming a judgment of the future, the situation of France when first attacked by Austria and Prussia, is compared with her present situation, what is the prospect of final success? Far from imagining that I should have to contend, that the campaign has been neither successful nor glorious, I expected to be asked, when I came to talk of peace, "What! are you so pusillanimous as to suffer your spirits to be depressed by a few untoward events? Would you so far degrade your country as to offer terms of peace now, which we disdained to offer in June, when our good fortune was at its height? When we have been repulsed at Dunkirk; when the Prince of Saxe-Cobourg has been repulsed at Maubeuge; when we have been driven from Toulon in a manner so afflicting, if not disgraceful; when General Wurmser has been routed in Alsace; the siege of Landau raised; and the Duke of Brunswick can scarcely protect the German cities on the Rhine — to offer terms of peace would be to supplicate, not to negociate."

Such an appeal to my feelings, I must have endeavoured to answer as well as I could; but from that task I am completely relieved, by the boast made by ministers of their victories. If the advantages we obtained were such as they represent them to be, we can negociate without dishonour; we can assume the dignified character of being in a con-

dition to dictate the terms of peace, and of forbearing to insist on all that our superiority entitles us to demand. Here then is an additional reason for pursuing the course which I recommend. The right honourable secretary (Mr. Dundas) has said, that our object in the West Indies was to gain some solid advantage for ourselves, as an indemnification for the expences of the war. This, however, is a perfectly distinct object from that of giving such a government to France as ministers might think it safe to treat with; and in many respects contradictory to the other. In pursuance of the object of solid advantage to ourselves, whatever islands we took for Louis XVII. we must wish to keep; and as we wished to keep the islands, must wish that Louis XVII. who would have a right to demand them of us, should not be restored; and thus our two objects would run counter to each other. The right honourable secretary has also said, that if we were to make peace with France on the principle of *uti possidetis*, the campaign would be the most advantageous and the most glorious in the records of history. Advantageous in that point of view, it certainly might be; but glorious it can hardly be called, when it is considered that we are leagued in it with so many other powers against a single nation whose force we had formerly met, not only without allies, but with those who ought to have been our allies marshalled under the standard of our enemy.

But the real object of the war is the destruction of the jacobin power in France. Have we succeeded in that object? Is it not clear to the apprehension of every man who possesses the smallest degree of information, that we are now more distant from it than ever? The right honourable secretary has informed us, that ministers have been greatly embarrassed, whether they should send the forces at their disposal with Sir Charles Grey to the West Indies, or with the Earl of Moira to co-operate with the royalists in France. The answer is easy. If the war with the persons who now govern France is, as the friends of ministers state it to be, *bellum internecinum*, they ought not to have hesitated a moment. All expeditions ought to give way to that which alone could most materially promote their object; namely, the aid afforded to the royalists, for the purpose of marching directly to Paris, and exterminating that party, which is the object of such detestation, that ministers can alone be satisfied with its utter extirpation. I hope that they have not in the present instance, as sometimes happens to men fluctuating between two purposes, so divided their attention, as to have allotted for neither a sufficient force, and thus contrived to render both ineffectual.

My honourable friend (Mr. Windham) has stated, that an idea was last session held out to the country, that the war would be concluded in one campaign, and that this unreasonable expectation, artfully instilled into the minds of the public, is the chief, if not the sole source of any disappointment, which may be felt in the present moment. It is true, that I, and those who then thought as I did, represented the dangers to be apprehended from the war; but I appeal to the recollection of every man who heard us, whether we ever said that the war was likely to be terminated in one campaign. On the other hand, was it not insinuated, if not expressly stated, in the speeches of those who advised going to war, that one campaign would be sufficient to bring it to a conclusion? Do not ministers know that the same idea has been circulated by every ministerial scribbler in every ministerial newspaper? And is it not notorious, that this delusion has induced many persons to approve of the war, who would otherwise have opposed it? My honourable friend has ridiculed the idea of the war having united the French among themselves. He has asked, whether, instead of union, there has not taken place a contest of two parties, which has led to a series of murders? All this I grant to be true; we have, indeed, beheld the most sanguinary scenes in France, in consequence of the contests of jarring parties; the complete triumph of the present jacobin party has lately been sealed by the blood of their opponents. But whatever may have been the contests of parties in France, or whatever the consequences to which they have led, I affirm, that the war has produced in that country not only union, but what is still worse for the allies, a degree of energy, which it is impossible to withstand.

Let us look, Sir, to the real state of the case. When the session closed in June, there were parties existing in France of equal strength. The Girondists occupied Lyons, Bourdeaux, and other places; the royalists possessed La Vendée; and the convention had to contend with Austria, Prussia, Russia, Great Britain, the Holy Roman empire, Sardinia, Tuscany, and Naples. (Tuscany, by the way, did not come under the British wing so willingly as the right honourable secretary asserted.) Yet, with these powers against them, the convention have not only quelled all internal insurrections, but defeated their foreign enemies. Toulon was taken by the British, in consequence of certain conditions stipulated by the inhabitants. And yet even with the certainty of the guillotine before them, these inhabitants were so unwilling to assist the British, that no other than an ignominious evacuation could be effected. As far as can be collected from information, there is not now an insurrection from one end of

France to the other. What, then, is the inference? That there is no probability, nor even possibility, of overturning the jacobin government of France in another campaign, nor in another after that. The French are now inspired with such an enthusiasm for what they call liberty, that nothing but absolute conquest can induce them to listen to any plan of government proposed by a foreign power. Considering the spirit of the French in this point of view, I am not much comforted by any thing that the noble lord has said of their finances. I remember to have heard much the same arguments delivered from the same side of the House during the American war. The noble lord will find, in the debates of those days, much talk of a "vagrant congress," which was no where to be found, of their miserable resources, and their wretched paper-money, at 300 per cent. discount, of which, with the few halfpence you might happen to have in your pocket, you might purchase to the amount of a hundred dollars. The Americans were represented as exercising against the royalists the most unheard-of cruelties; and then came what was now the master argument, that if such principles of resistance were suffered to exist, if the cause of the Americans was ultimately to be successful, there must be an end of all civilized government, and the monarchy of England must be trodden in the dust. At the time when such arguments were made, we were in possession not only of one port like Toulon, but of almost all their principal ports. Yet, I was not then deterred from recommending what I now recommend—negociation, while negociation is practicable. I lived to see Great Britain treat with that very congress so often villified and abused, and the monarchy subsist in full vigour, certainly fuller than it had ever before subsisted since the Revolution. And if it were not presumptuous for a man to reckon on his own life, I might say, that I expect to live to see Great Britain treat with that very jacobin government with which you now refuse to treat; and God grant that it may not be under circumstances less favourable for making peace than the present!

Having shewn that as much security might be obtained by treating now with France as in any case that comes within our experience, it remains only to prove that even if negociation should fail, we have still much to gain, and nothing to lose. We shall thereby demonstrate to the world, that the war, on our part, is strictly defensive; and convince the people of England that their money is expended not to gratify the caprice of an individual, but to protect the honour and interests of the country. In France the advantage will be still greater; for there, where enthusiasm supplies the place of military dis-

cipline and military skill, where it makes the people submit to tyranny almost beyond human patience, we shall diminish that enthusiasm, by shewing them that they are not engaged in a war of defence, but of conquest. The country will no longer be governed by declamations against the allies, and exhortations to fight upon the frontiers: the refusal of the jacobins to treat will ruin them in the opinion of the French people; and thus we shall at once secure the great ends of policy and justice. We shall shew to the people of England, that we do not wantonly lavish their blood and treasure; we shall reconcile them to the war, if its continuance should be found necessary; and we shall disarm the enthusiasm of the people of France, by proving to them our own moderation, and our disposition to make peace upon equitable terms.

Whatever Frenchman can do, I am told that Englishmen can do also. I have no doubt but they can; and that under the same circumstances, the efforts of the people of England would equal or exceed the efforts which are at present made by the people of France. Frenchmen, as they conceive, are contending for their independence as a nation, and their liberties as individuals. Some, indeed, say, that we are engaged in a similar contest, but few or none believe this to be actually the case. We make fine speeches, in order to shew how much we are alarmed, and to communicate the alarm to others. But what effect do they produce? They are the result of cold declamation and artificial eloquence; they are the speeches of orators, not the effusions of manly feeling; nobody is persuaded of the facts which they assert, or impressed with the sentiments which they convey. The success of this or that campaign will make little or no difference with respect to the security of our religion and liberty, so often brought into the question. The French, on the other hand, dread equally the despotism of Austria and of Prussia: I wish they may not add, the despotism of Great Britain. In France they have ceased to make speeches on this subject, because every man feels it unnecessary to declaim on that which he is convinced every other man feels equally with himself.

On the conduct of the war, and the mismanagement of the force with the direction of which ministers were entrusted, the lateness of the hour would induce me to postpone any remark, did not the boastful manner in which they have talked of their own exertions render it impossible for me to be silent. The right honourable secretary has expatiated on the protection afforded to commerce. Has he forgot the situation in which commerce was left in the West Indies? Has he forgot how long the whole Jamaica fleet waited for

convoy, and under what convoy it was at last obliged to sail? Does he not know, that at the very moment he was speaking, the French had blocked up the harbour of Cork, and with a few frigates parading the British channel, are making prizes of our merchantmen, and chasing our cruizers into our own ports? Sure I am, that if such unexampled protection has been afforded to our commerce as the right honourable gentleman boasts of, our merchants are the most unreasonable and ungrateful people in the world. On this subject they hold a language very different; their complaints of want of protection are loud and general. When the right honourable gentleman was taking a review of the campaign, and representing it as so highly creditable and satisfactory to himself and his colleagues, I am surprised he forgot to mention Dunkirk. Of the expedition against Dunkirk, by what strange omission I know not, the right honourable gentleman did not say a single word. I should be glad to know, Sir, the wise man who planned that expedition, and advised the division of the combined forces in Flanders. If I may trust to information, which I see no reason to doubt, such advice was never given by the Duke of York, and was directly contrary to the sentiments of that experienced general the Prince of Saxe-Cobourg. If the plan was reprehensible, let us look to the manner in which it was carried into execution. What exertions were made by ministers after the siege was undertaken to ensure success? What must have been the feelings of a gallant British prince, who, through dangers and difficulties, had approached the sea, the natural dominion of his country, and expected to find the whole coast a fortress for him, at beholding his troops destroyed by the gun-boats of the enemy commanding the shore, and impeding all his operations! Of that expedition, so full of imbecility and blunders, on the part of those who directed, and who were bound to co-operate in the undertaking, not of those to whom was left the task of execution, without being furnished with the necessary means, some account must be given. This failure ministers are bound to explain. To the conduct and skill of the Duke of York I have every reason to believe that the subsequent preservation of West Flanders was owing. The wise precautions taken by him upon that occasion saved that country from the fate to which it was exposed by the rashness and imprudence of ministers.

With respect to Toulon, I have always understood that we obtained possession of it by negociation, and that it was delivered up to us on conditions agreed upon with the inhabitants. If it was right so to take it, it became a matter of indispensable duty to defend it. But what was done on the part

of ministers to fulfil this important part of the agreement? Might they not have sent such a force of British or Austrian troops to occupy the heights that surround Toulon as would have foiled all the attempts of the enemy? Instead of this, they sent a miserable crew of Neapolitan and Spanish troops, without discipline, experience or courage, neither skilled in the arts of defence, nor capable to resist the ardour of an impetuous enemy. Such were the men whom they opposed to a French army, whose courage was exalted to the highest pitch by a sense of national honour, and their enthusiasm in the cause of freedom. When they understood, however, that the place was to be attacked, they considered some additional assistance as necessary, and in order to make a suitable provision against the danger, they borrowed an idea from the enemy, and threw in, as a reinforcement, the abilities of a civil commissioner, Sir Gilbert Elliot. Of the circumstances under which Toulon was evacuated, we are not sufficiently informed to speak with confidence. But from all that ministers have thought proper to publish, and all that we have heard from other quarters, I fear it was an event as disgraceful to the British arms, as afflicting to humanity. I shall be told, that it is not fit to blame officers in their absence, and therefore that the conduct of Lord Hood is not now to be discussed: but, Sir, by the address I am called upon to praise Lord Hood; and, surely, before I give my assent to such an address, I have a right to inquire into the grounds of approbation. The conduct of Lord Hood, I am told, ought not to be censured; it has not yet been an object of examination and discussion; and if on this ground it be proper to deprecate censure, it is surely equally proper to withhold praise. At present I can only judge from what appears on the face of the transaction, aided by those imperfect accounts which ministers have thought proper to communicate to the public. The evacuation seems to have taken place under circumstances against which policy ought to have provided; and I fear the result was such as British humanity will contemplate with but little satisfaction. I am told, indeed, by the right honourable secretary, that no man was left behind who was disposed to quit the place; and I am bound to give credit to his assertion. But, when I read in the accounts given into the French convention, of two hundred in one day, and four hundred in another, (and accounts of this sort have, unfortunately, in general, proved but too true,) who, for the assistance which they afforded the English, were conducted to the guillotine, what am I to infer? Am I to infer, that from the experience of the conduct of the English, such was their detestation of their character, that they chose rather to wait for death from

the vengeance of their countrymen, than to seek for safety from British protection? If such is the inference, in what a point of view does it place the honour of the British nation, and the boasted generosity of their character! But if the fact be otherwise, if after having betrayed these men to assist in your views, you abandoned them to that ruin which was the consequence, their blood is on your heads, and at your hands will it be required. What people henceforth will be desirous of the friendship of Britain, or able to repose themselves with confidence in your fidelity? What dependance can they have upon the efficacy of your assistance, or what security even against your desertion? Toulon, purchased by compromise, you have lost with disgrace; you have placed yourselves in a point of view entirely new to British character; you have proved yourselves neither useful as friends, nor respectable as enemies. You have now to contemplate loss and repulse as the result of a transaction equally degrading to your resources and your principles, every part of which stamps your efforts with feebleness, and brands your character with dishonour.

Nevertheless a noble lord (Mulgrave) whom I do not see in his place, and who arrived in this country a short time before the evacuation, affirmed in his dispatches, that Toulon was in a state of comfortable security. What idea, Sir, must we have of what constitutes a state of comfortable security, when such proves to have been the event! When ministers had failed at Dunkirk, and, perhaps, notwithstanding this assertion of comfortable security, foresaw that they should fail at Toulon, they projected, or rather talked of a descent on the coast of France, under the command of the Earl of Moira; when we ask why that expedition was so long talked of, and never undertaken, the right honourable secretary tells us, that it was delayed for want of troops. What! when we had at last hit upon a plan which was to conduct us to the gates of Paris, were we obliged to abandon it for want of men? Were no Hanoverians, Hessians, or even Austrians, to be found? Miserable, indeed, must be the alliances entered into by the minister, if neither those whose cause he had undertaken to support, nor those whom he had taken into his pay, would furnish him with men sufficient for an expedition, the success of which might have redeemed so many miscarriages! Did he defer that expedition till winter, because the difficult navigation of the coast of Normandy was peculiarly safe at that season? Or did he chuse to delay it, because the Prince of Cobourg would be unable to act, and, of consequence, the French troops in that quarter would be disengaged?

With the knowledge of these events, if we retain the least spark of that independence which was once the characteristic

of a British House of Commons, we cannot concur in an address which tells his majesty that we think the campaign has been successful. If there is a man among us who is not the sycophant of ministers, he cannot say that the conduct of it has displayed any thing on their part but imbecility and want of resource. The right honourable the chancellor of the exchequer possesses great talents and great eloquence; and the long period during which he has had the opportunity of displaying those talents in office, has, no doubt, added to the number of his admirers; but he must now pick from the very lowest class of his flatterers before he can collect thirty men around his own table who will tell him that he is a great war minister. His friends, perhaps, will tell us, that he may do better another time, and therefore they will continue to support him; but, at what expence is the experiment to be made, and how much British blood and British treasure must be lavished, while he is learning how to conduct a war! The right honourable secretary has said, that when Lord Hood had taken possession of Toulon, all the states of Italy hastened to put themselves under the protection of the British fleet. What haste the Duke of Tuscany made to seek that protection, and with what reluctance he was compelled to accept of it, the memorials, or rather menaces, delivered by Lord Harvey, who, I believe, acted in perfect conformity to his instructions, will sufficiently evince. While we were declaiming against the insults of the French to neutral states, we took upon us to dictate to the Duke of Tuscany, not only with respect to his public conduct, but his private feelings. Lord Harvey was instructed to tell him, that he misunderstood the interests and disregarded the wishes of his people; that the minister in whom he confided was a person unworthy of trust; and that he himself had no proper sense of the duty he owed to his uncle and his aunt, and all his relations of the house of Austria. Our conduct to the Genoese was modelled upon the same principles; and we only had not the guilt of bombarding Genoa, because that republic refused to depart from its neutrality.

What, too, was the conduct which was observed towards the Swiss Cantons? On that subject I am particularly informed, in consequence of a letter which I received from a noble relation of mine, (Lord Robert Fitzgerald,) employed by ministers in that quarter. In this letter he states, that he was instructed, on the part of the British court, to intimate to the cantons, that they might, indeed, preserve their neutrality, but that they should hold no commerce with France. What sort of neutrality was that, Sir, which excluded all commerce, which deprived them of every advantage which

such a situation entitled them to expect? And what sort of respect did ministers shew for the rights of independent states, by thus presuming to dictate to them the terms upon which they should regulate their conduct with regard to other nations? Of the same nature was the interference attempted in the instance of Denmark and Sweden; and if these courts had not had the wisdom and the firmness to resist all the arts and menaces employed to draw them from their system of neutrality, and engage them in the combination against France, they might at this moment have been sharing, in common with the other powers of Europe, all the hardships and miseries of war. Such has been the scandalous conduct of ministers towards neutral states! But did these very ministers forget, that they had themselves all along boasted of their neutrality; that they had on every occasion held forth as their justification, that if France had not declared war, this country would still have remained neutral? Such was the credit due to their assertions, and such the coincidence between their professions and their conduct! At the very moment they were inveighing against the French as invaders of the rights of nations, and boasting of their own strict observance of neutrality, they were committing the most daring infringements on the rights of independent states, and attempting, by the most unwarrantable means, to engage them to take part in hostilities against France. The injustice of such a conduct could only be aggravated by its meanness. The nations with respect to whom this interference was exercised, were such only as ministers might hope to frighten by their menaces, and awe to compliance by the terror of superior force. We condescended not only to lay aside all respect for justice, but all dignity of character, and to become the bullies of those states whom we deemed incapable of resisting our imperious demands. Oh, shame to our policy! Oh spot indelible to the British name! When, indeed, I consider the present system adopted in the courts of Europe, when I look at the infamous conduct of Russia and Prussia towards Poland, I own that I tremble for the fate of Europe. Convinced I am, that no power which is not founded in justice can either be sound or permanent. If, indeed, the courts of Europe are menaced with imminent danger, they have chiefly to apprehend the consequences of their own recent proceedings. If in no cabinet there is to be found any remnant of decency, any sense of honour, such a state of things must tend more to the dissolution of established systems than all that can be effected by jacobin principles or jacobin force. The rage of the jacobins may, indeed, be directed against

the outworks of their power; but they are themselves undermining the foundation.

I next come to the conduct of ministers with respect to America.* In this instance they seem likewise to have adopted the maxim of M. Genet, in setting aside the authority of Vattel, and testifying the most perfect contempt for the principles laid down by established writers on the law of nations, where they happen to differ from their own notions of political convenience. Their system of aggression on the rights of independent states, they followed up with respect to America, by issuing an order to seize on American vessels bound to the French West-India islands. This order, however, they were afterwards prevailed upon to withdraw, in consequence of being informed by the merchants, that congress could never brook so wanton an aggression, so unprovoked an insult; and that the measure, if persisted in, must infallibly produce a rupture between America and this country. I trust, the retraction has come in time to prevent the consequences of the error, but it can reflect but little honour on the ministers of this country, that they have been compelled to respect the rights of an independent state only from a dread of its power, and that they have shewn themselves to be more influenced by a sense of fear, than by a principle of justice.

And here, Sir, I cannot help alluding to the president of the United States, General Washington, a character whose conduct has been so different from that which has been pursued by the ministers of this country. How infinitely wiser must appear the spirit and principles manifested in his late address to congress than the policy of modern European courts! Illustrious man, deriving honour less from the splendor of his situation than from the dignity of his mind, before whom all borrowed greatness sinks into insignificance, and all the potentates of Europe (excepting the members of our own royal family) become little and contemptible! He has had no occasion to have recourse to any tricks of policy or arts of alarm; his authority has been sufficiently supported by the same means by which it was acquired, and his conduct has uniformly been characterised by wisdom, moderation, and firmness. Feeling gratitude to France for the assistance received from her in that great contest which secured the independence of America, he did not chuse to give up the system of neutrality. Having once laid down that line of conduct, which both gratitude and policy pointed out as most proper to be pursued, not all the insults or provocation of the French minister, Genet, could turn him from his pur-

pose. Entrusted with the welfare of a great people, he did not allow the misconduct of another, with respect to himself, for one moment to withdraw his attention from their interests. He had no fear of the jacobins; he felt no alarm from their principles, and considered no precaution as necessary in order to stop their progress. The people over whom he presided he knew to be acquainted with their rights and their duties. He trusted to their own good sense to defeat the effect of those arts which might be employed to inflame or mislead their minds; and was sensible that a government could be in no danger while it retained the attachment and confidence of its subjects — attachment, in this instance, not blindly adopted, confidence not implicitly given, but arising from the conviction of its excellence, and the experience of its blessings. I cannot, indeed, help admiring the wisdom and the fortune of this great man; by the phrase "fortune," I mean not in the smallest degree to derogate from his merit. But, notwithstanding his extraordinary talents and exalted integrity, it must be considered as singularly fortunate, that he should have experienced a lot, which so seldom falls to the portion of humanity, and have passed through such a variety of scenes without stain and without reproach. It must, indeed, create astonishment, that, placed in circumstances so critical, and filling for a series of years a station so conspicuous, his character should never once have been called in question; that he should in no one instance have been accused either of improper insolence, or of mean submission in his transactions with foreign nations. For him it has been reserved to run the race of glory, without experiencing the smallest interruption to the brilliancy of his career. But, Sir, if the maxims now held out were adopted, the man who now ranks as the assertor of his country's freedom, and the guardian of its interests and its honour, would be deemed to have betrayed that country, and entailed upon himself indelible reproach. How, Sir, did he act when insulted by Genet? Did he consider it as necessary to avenge himself for the misconduct or madness of an individual, by involving a whole continent in the horrors of war? No; he contented himself with procuring satisfaction for the insult, by causing Genet to be recalled; and thus at once consulted his own dignity and the interests of his country. Happy Americans! while the whirlwind spreads desolation over one quarter of the globe, you remain protected from its baneful effects, by your own virtues and the wisdom of your government! Separated from Europe by an immense ocean, you feel not the effects of those prejudices and passions, which convert the boasted seats of civilization into scenes of horror and bloodshed!

You profit by the folly and madness of contending nations, and afford in your more congenial clime an asylum to those blessings and virtues which they wantonly contemn, or wickedly exclude from their bosom! Cultivating the arts of peace under the influence of freedom, you advance by rapid strides to opulence and distinction; and if by any accident you should be compelled to take part in the present unhappy contest; if you should find it necessary to avenge insult, or repel injury, the world will bear witness to the equity of your sentiments and the moderation of your views, and the success of your arms will, no doubt, be proportioned to the justice of your cause!

Sir, I have now nothing more with which to trouble the House; I am sensible, indeed, that at this advanced hour I have already detained them too long. But I was anxious to put the question upon its true footing, and to free it from that misrepresentation in which it has been so studiously involved. We have of late been too much accustomed to invective and declamation; addresses to our prejudices and passions have been substituted instead of appeals to our reason. But we are met here not to declaim against the crimes of other states, but to consult what are the true interests of this country. The question is not, what degree of abhorrence we ought to feel of French cruelty, but what line of conduct we ought to pursue, consistently with British policy. Whatever our detestation of the guilt of foreign nations may be, we are not called to take upon ourselves the task of avengers; we are bound only to act as guardians of the welfare of those with whose concerns we are immediately entrusted. It is upon this footing I have argued the question, and if I have succeeded, I trust the House will be disposed to support me in the amendment with which I shall now conclude; intreating his majesty to make peace, whenever it can be done upon safe and honourable terms, without any regard to the form and nature of the government existing in France. But if gentlemen will carry on the war until the jacobin government of France be exterminated, they must be prepared to carry on the war to all eternity. Mr. Fox then moved the following amendment to the address proposed: "To state the determination of this House to support his majesty in the measures necessary to maintain the honour and independence of the crown, and to provide for the defence and safety of the nation; but at the same time to advise his majesty to take the earliest means of concluding a peace with the French nation, on such terms as it may be reasonable and prudent for us to insist on: That, whenever such terms can be obtained we trust that no obstacle to the acceptance of them will arise from any con-

siderations respecting the form or nature of the government which may prevail in France."

After Mr. Pitt had spoken, the House divided on Mr. Fox's amendment:

	Tellers.			Tellers.	
YEAS	Mr. Grey, Mr. Adam	59.	NOES	Sir Peter Burrell, Mr. John Smyth	277.

So it passed in the negative.

TREATY WITH THE KING OF SARDINIA.

January 31.

MR. PITT having moved, "That the copy of the treaty between his majesty and the King of Sardinia, signed at London the 25th of April 1793, be referred to the committee of supply;"

Mr. Fox said, he considered this treaty to be one which his duty to his constituents did not permit him to assent to without some observations, and a satisfactory answer to those observations. He had never conceived that it could be wise to enter into any treaty by which we were to receive nothing and to give every thing; or to bind ourselves to maintain a perpetual war for the benefit of the party with whom we contracted, without something stipulated in our favour that might be held an equivalent for so hazardous an engagement. When he looked at the treaty, he should have supposed that the King of Sardinia had had it in his power to put into our possession the port of Nice, or to afford us an easy passage into France through his territory of Savoy. These, indeed, would have been advantages for which we ought to have given something in return; because, under certain circumstances, they might have contributed much to the facility of carrying on a war with France. But, when he recollected the circumstances under which the treaty was made, he found that the King of Sardinia had lost both Nice and Savoy before we thought of entering into any negociation on the subject. He admitted that the assistance of the King of Sardinia might be useful in the prosecution of the war; but in obtaining assistance we ought to estimate the benefits on either part, as well what we gave as what was to be given us. By this treaty the King of Sardinia was bound only to maintain

50,000 men for the defence of his own territories. If we had expected any thing more of him we had been miserably disappointed; for that part of France which was justly supposed to have been the most averse from the present reigning system in Paris, and therefore the most likely to enter into our views, far from receiving any support from the King of Sardinia, had been left to pay the forfeit of what the convention called treason to the republic. What, then, did we gain by this treaty, in stipulation or in fact? That the King of Sardinia should keep up a force to defend his own territories. What did we engage to perform? Not only to pay a subsidy of 200,000l. a-year in aid of maintaining this force, but to restore to the King of Sardinia all those territories which the French had wrested from him, while we were sitting quietly by and boasting of our neutrality. Unless we could afford to make war for ever; unless we supposed ourselves exempted from the ordinary vicissitudes of human affairs, we might be reduced to purchase peace by great sacrifices on our own part, in order to make good our engagements with the King of Sardinia, or to subject ourselves to the reproach of breach of faith, by making peace without obtaining the restoration of his territories. One would have thought, that for all this the King of Sardinia was to do something of equal importance for us; but in the treaty we looked for an equivalent in vain. We were not only to pay him for keeping up a force to defend the territories he had still remaining, but bound ourselves not to make peace without restoring to him the territories he had lost.

For the sake of argument, Mr. Fox said, he would admit that the restoration of Savoy to the King of Sardinia was necessary to the balance of Europe, and that no peace ought to be made with France but upon that condition. Why, even in this case, fetter ourselves with an engagement which we could not possibly know that we should be able to fulfil? When the time of treating for peace came, with how much more advantage, and how much more honour to ourselves, should we have said, "The King of Sardinia is not to be oppressed because he is weak. In all transactions between nations, justice is to be regarded as well as power. The restoration of Savoy is demanded by justice, and essential to the future tranquillity of Europe. We shall listen to no propositions for peace of which this is not a preliminary." With how much more advantage and honour might we thus have stipulated for the restoration of Savoy, if this miserable treaty had never been made? We should then have stood forward as the protectors of the weak, and the defenders of the balance of power. Now, we had not given, but sold our assist-

ance to the King of Sardinia—and sold it, for what? For nothing. Ministers having done this, and the House having sanctioned it, they were next to call upon the people of England to pay a subsidy of 200,000*l.* He knew, that in every war to be carried on by a confederacy, we must pay the weaker powers whom we engaged in that confederacy; but we were not certainly to pay them all; nor those whom we did, for defending themselves. Did we suppose, on the present occasion, that the King of Sardinia had no inclination to defend his own dominions? If we did, our money should have been asked for as a grant, not as a stipulation, which was to involve us in difficulties of a thousand times more consequence than the value of our money. We could not, however, suppose that the King of Sardinia was not inclined to defend himself, without our paying for it. Our treaty, therefore, was not a purchase, for we did not buy the King of Sardinia's inclination; nor was it a gift, for we, the givers, came under an obligation to the party to whom we gave. It might be said, that the treaty bound the King of Sardinia to continue the war as long as we might think fit, even after he himself might wish to conclude it. If this was what we had gained by the treaty, would not the neutrality of the King of Sardinia have been more beneficial and far less embarrassing? It would not be argued, that there was any chance of a separate peace between the King of Sardinia and France; or that the King of Sardinia had any prospect of recovering Nice and Savoy, without our assistance. What, then, had we done? If the recovering of his territories was of more importance to the King of Sardinia than it could be to us, we had given a subsidy, where we ought to have received one.

He should perhaps be told, that the treaty being concluded by his majesty, the proper representative of the country in all transactions with foreign powers, the House could not refuse to ratify it, without subjecting themselves to the imputation of a breach of faith. This doctrine he must peremptorily deny. If the House was considered as bound to make good every treaty which his majesty, by the advice of his ministers, might think proper to conclude, there was a complete surrender of the public purse to the executive power. Mr. Fox concluded with observing, that having thus briefly stated his objections to the treaty with the King of Sardinia, the other treaties, particularly that with his Sicilian majesty, were not to be considered as having his approbation, because he did not state his objections to them at the same time.

Augmentation of the Army.

February 3.

THE secretary at war having moved in the committee of supply, "That a number of land forces, including 3882 invalids, amounting to 60,244 effective men, commissioned and non-commissioned officers included, be employed for the year 1794," this augmentation of the army was opposed by Mr. Hussey on the ground of its inefficacy for the purposes of the war. The navy of Great Britain, he said, ought rather to have been augmented. A few stout ships were of much more utility than a land-force, in making such an impression upon the enemy as would be solid and serviceable to the interests of this country. He entertained no doubt of the courage and gallantry of our officers and soldiers; but would rather have seen our naval list carried to 100,000 men, than vote for any farther increase of the army. After Mr. Jenkinson and Mr. Pitt had spoken in support of the augmentation,

Mr. Fox said, that although a future discussion was promised, some sentiments had fallen in the course of the debate on which he must make a few observations while they were fresh in the memory of the House. He agreed perfectly with the honourable gentleman who had opened the discussion, on the propriety of the time he had chosen for making his observations, as well as of the observations themselves. According to the best practice of the best times, it was strictly in order to consider the ability of ministers to direct to the most beneficial effect that force to pay for which they were about to vote the money of their constitutents. He was glad to find gentlemen on the other side of the House so much pleased as they professed to be with the successes of the campaign. If it were possible to talk with levity of a situation of Europe, which he considered as highly disastrous, he should congratulate the House on the issue of a campaign with which all parties engaged in it were pleased. We extolled the success of our armies; so did the French that of theirs. We applauded the evacuation of Toulon as a most fortunate event; the French celebrated the same event by public festivals. So that both parties might meet and join in a common jubilee. Unfortunately for him, he could not participate in these rejoicings, while he saw Europe brought into a situation which must be afflicting to every man who retained the least spark of justice or humanity.

Since the prorogation of parliament, when the advantages we had obtained were set forth in terms as vaunting as they could well bear, we had seen little success and much defeat. When he saw that all the latter part of the campaign had been uniformly unsuccessful; when the successes of the early part, instead of conducting, as might have been expected, to new successes, had only led to disaster and disgrace, he augured but ill of the future; as in such circumstances every rational man must augur. He could neither agree with the honourable gentleman, nor with the right honourable the chancellor of the exchequer who corrected him, on the subject of responsibility; which instead of laying wholly with generals, or jointly on generals and ministers, lay wholly with ministers in the first instance. There was, or ought to be, a military man in the cabinet, and he supposed the commander in chief held that situation now, on whose information and advice ministers were to decide both as to the propriety of undertaking expeditions and the force requisite for them. They might have much information respecting which the officer appointed to command in any expedition might be ignorant; consequently they, and not he, were to judge of the force necessary, and the acceptance on his part of a command with an inadequate force was no justification for them. If he knew that an officer had misconducted the force entrusted to him, (and he hoped no man would be so uncandid as to suppose what he said to have any particular application,) he would charge ministers with the blame in the first instance, because it was their duty to employ none but proper persons. When they were put upon their defence, they might shew reasons for the choice they had made, and in proportion to the validity of those reasons would they be exculpated. He did not pretend to know whether the commander in chief of the combined army, and the illustrious prince who commanded the troops sent against Dunkirk, approved or disapproved of the expedition; but this he knew, that if, on the general inquiry into the business, it should appear that it was undertaken contrary to the judgment of such professional men, the circumstance would form a strong aggravation of the charge against ministers.

The right honourable the chancellor of the exchequer had said, that the defence of Toulon was not to supersede the expedition to the West Indies. In one point of view, the defence of Toulon was paramount to the capture of all the West India islands, for it was to preserve the faith of the nation solemnly pledged to the inhabitants, who had put themselves under our protection. We entered Toulon by treaty, not by conquest, as the ally of Louis XVII. in conjunction with the King of Spain, to whom

the place was as much surrendered as to us, and on the express condition of restoring to the inhabitants who admitted us, what they called their constitution of 1789, although he heard that the part of the treaty to which he alluded had been broken by our subsequent proclamations. We got possession of the ships and stores in trust for our ally Louis XVII., and after that, to boast of destroying them as the ships of an enemy, was a perversion of terms. He admitted, that when they could not be defended, we had a right to destroy them, or, what was still better, to bring them away, in order to prevent their falling into the hands of those who were the enemies of Louis XVII. But this was to be lamented as a misfortune, more especially if any considerable part of them did fall into the hands of his enemies, not vaunted as an instance of extraordinary success. Let ministers hold to Louis XVII. or his representative, if he had any; let them hold to French royalists the language they held to the House, of preferring an expedition to the West Indies to the defence of Toulon: let them say, "We have got possession of a port and a fleet in trust for you; but we must take your West-India islands for ourselves; we cannot attempt the one without endangering the other; and we prefer taking what we mean to keep at all events, to defending what we must restore to you when re-instated on the throne of your ancestors," and see with what cordiality and gratitude it would be received. If seating Louis XVII. on the throne of France was the object to which ministers looked as the means of peace, they ought to have sent the whole force at their disposal to Toulon, if necessary, in preference to every other expedition, on motives of common policy, much more on the strongest of all motives, that of good faith.

He had often heard, as he had again been told that day, that all the inhabitants of Toulon who chose it were taken away by the British fleet. Was it not true, however, and notorious, that hundreds, nay thousands of the unfortunate remainder, had glutted the vengeance of those whom they had made their implacable enemies by the confidence they reposed in us? If it should be said, that these victims preferred staying to being brought away, that would contribute but little to his satisfaction; for what must our treatment of those men have been, what opinion must they have formed of us, seeing that they preferred the fury of avowed enemies to our protection?

It had been insinuated, that the surrender of Toulon had been effected by blockade and famine, and the decided superiority in regard to appointment, of the English over the French fleet. This did not appear, upon investigation, to be

the real state of the case, for there never was any contention between the fleets; for the French fleet was commanded by persons inimical to the French government, who surrendered their trust upon certain terms. And this French fleet had been reported by Admiral Trugnet, to the convention, to be in a state upon which no reliance could be placed. With respect to the destruction of the French fleet at Toulon, which was made a boast of as the greatest blow the naval power of France had ever sustained from the effect of a single action, he observed, that as they were vessels which we had taken, and engaged to preserve for Louis XVII., we could only justify destroying them upon one principle, that it was the only means of preventing them from falling into the hands of the enemy. He defended the expression used by his honourable friend, (Major Maitland,) that we had acquired no military glory at Toulon. By this he did not mean, that the particular generals, or officers, or privates, had not discharged their duty there. He knew they would ever do their duty when they were put in a situation to act; but what was meant was, that the result of that business was not an acquisition of glory to this country. The ground, it was stated, upon which the expedition against Toulon had been concerted, was an expectation that they would have been joined by the royalists of Lyons and Marseilles, who were at that time in considerable force; but any person who remembered the American war, ought to know the futility of such expectations: we hoped and trusted that one town, or one state, would be more favourable to our cause than others had been; but as often as we expected, so often were we disappointed. In the same way our hopes from the Lyonese and Marseillois had been frustrated, and those unfortunate persons who set their faces against the tyranny by which they were oppressed, had, many of them expiated, on the block, the crime of federation; nor had we been able to raise any diversion in our favour in any of the provinces in the neighbourhood of Toulon, either in Provence, or in Languedoc, or in Dauphiny.

Mr. Fox said, he next wished to enquire, if the force sent to Toulon was sufficient to preserve it? From every thing he could learn on the subject, and from military men, he understood, that to preserve that place, a force of at least 30,000 effective men would have been necessary. What was the force sent for the protection of that place? There were only 15,000 men, and those not all English, nor equal in point of service to half the number of English, but a motley group, consisting of Piedmontese, Spaniards, French, and Neapolitans; and to complete the success of the business, an actual dispute, he understood, existed between Admiral Gravina and

our general, who should be commander in chief of this army. If success was to be considered *prima facie* evidence of merit, he had a right to asume that ill success was evidence of demerit: as such he should consider the expedition, or the projected expedition under the Earl of Moira; but he might be told, that it could not yet be called unsuccessful, as it had not been entered upon; but he contended, that it was unsuccessful, insomuch as it was injurious in its effects to the cause which it was intended to serve; for what Frenchman would be mad enough to hazard his life, by opposing the tyranny which he detested, upon the hope that he would receive assistance from this country, when our troops had been in the immediate vicinity of their coast, and had not been able to effect any thing to serve the cause of the royalists, either in La Vendée, or in any other part of France? And they had, moreover, the example of Toulon to deter them. As to the question, whether Toulon or the West-India islands were to be preferred by this country? that was a question which very much depended upon what was the object of the war. If our object was to gain permanent possessions, which we determined to keep, there could not be a moment's doubt but that the West-India islands were of the most importance; but if the object of the war was, as it seemed to be confessed by the minister and the majority of that House, to force upon the people of France, in conjunction with the other powers of Europe, some form of government in the place of that tyranny which now subsisted there, for the attainment of that object, the possession of Toulon would be more instrumental than Martinico, Guadaloupe, Saint Domingo, and all the other West-India islands together.

An expression had fallen from the right honourable the chancellor of the exchequer, that we were not now at war with an army, but an armed nation. This taken in one point of view was a very alarming circumstance, for he believed no position would be more readily admitted, than that an armed nation, so long as it acted upon the defensive, was invincible, and happy he was that it was invincible, for it was the only security that one nation had against the designs of combined and ambitious neighbours, for the preservation of its liberty and independence: he did not mean that kind of liberty which they had in France, but that rational and desirable liberty which was enjoyed under a well-regulated government. If Great Britain should be attacked by a combined force of the powers of Europe, which was not a thing impossible, the troops they were about to vote that night would be as nothing to oppose against it. Would sixty thousand of her sons be all that would take up arms in defence of Britain? No; we

should arm as one man, we should have but one sentiment, to conquer or to die; and, on this principle, he rejoiced that an armed nation was invincible. The same reason that made an armed nation invincible in defence, rendered it in attack quite the contrary. The desire of conquest could animate but a few, and they would be opposed by the same principle of resistance in their attempts to conquer other countries which enabled them to defend their own. The French, therefore, would not succeed in their attempts at conquest if they had not abandoned them, and we might make peace with them, in full as much security that it would be permanent as we had done at any former period. If in former times we had said, that we would make no peace with France, without a change of that government, which we knew to be hostile to our own, we should have been at war for more than a hundred years. What were the dangers we had now to dread from France more than those we had actually experienced and repelled? An honourable friend of his had said, that when a danger rose to a certain magnitude, all beyond that became of no account, because we already saw what we dreaded more than loss of life. Now, what was the danger from which we were delivered in the days of the pretender? A powerful foreign despot attempted to seat on the throne a prince whose right we had abjured; to overturn our constitution and establish an arbitrary government; to subvert the Protestant and introduce the Roman catholic religion; in one word, to ravish from us all we held most dear, and force upon us all we most abhorred. Yet we never went into the extreme of saying, "We will make no peace with the government that has attempted this; we can have no security while a ruling power exists, whose principles are so hostile to ours." Sorry he was to find such sentiments entertained now; for if France was become an armed nation, we might accelerate the calamities we dreaded, but we should not conquer France. He should, perhaps, be told, that, if France had become an armed nation, it might be necessary for us to become one also. But we ought not to become an armed nation in order to carry on an offensive war. If, unfortunately, we should ever be driven to fight on the same terms as the French had been, we too should become an armed nation, and like them be invincible.

The resolution was agreed to.

Mr. Grey's Motion respecting employing Foreigners in any Situation of Military Trust, and bringing Foreign Troops into the Kingdom, without the Consent of Parliament.

February 10.

EARLY in the session Mr. Secretary Dundas had brought down a message from his majesty, stating, that a corps of Hessians employed in his service having been brought to the coast on the Isle of Wight to prevent sickness on board the transports, his majesty had given orders they should be quartered in the island. This corps constituted a part of the army destined to co-operate with the French royalists in La Vendée, under the command of the Earl of Moira. The House thanked his majesty for the communication: but as it seemed that the ministers of the crown meant to pass silently over this transaction, which, though circumstances might render it proper, was in a constitutional view alarming, Mr. Grey, on the 10th of February, called the attention of the House to the subject in a speech replete with historical, parliamentary, and constitutional information, clearly proving that the measure in question was contrary both to the letter and the spirit of the constitution, as established at the Revolution; and that, whenever such a measure became necessary, ministers should either obtain the previous consent of parliament, or resort to a bill of indemnity. Mr. Grey concluded by moving, "That employing foreigners in any situation of military trust, or bringing foreign troops into the kingdom without the consent of Parliament first had and obtained, is contrary to law." The motion was opposed by Mr. Powys, Mr. Windham, Mr. Wallace, Mr. Montagu, the attorney-general, Mr. Yorke, Mr. Pitt, and also by Mr. Serjeant Adair, who moved the previous question. Mr. Grey's motion was strongly supported by Mr. Whitbread, Lord George Cavendish, Major Maitland, Mr. Francis, Mr. William Smith, and Mr. Fox.

Mr. Fox began with observing, that he never recollected a question that had given rise to so much extraneous matter, or to so great a variety of abstract arguments as the present. He felt considerable difficulty in replying to the different observations made on both sides of the House, but notwithstanding all the grave advice from the attorney-general, on the danger of agitating the question, he considered himself as indispensably bound by his duty to his constituents to deliver his sentiments on the present occasion. The honourable and learned gentleman had expressed his doubts on this ex-

tension of the prerogative, and wished that the question might not be argued; but the right honourable the chancellor of the exchequer had differed materially from the learned gentleman, and had given a decided opinion upon this point of prerogative. It was not for him, he said, to account for the conduct of the right honourable gentleman, who persevered in his opinion on a question that had excited no small share of indignation, even among those gentlemen who co-operated with him on other subjects. If the doctrine of the right honourable gentleman were true, he argued, that nothing which had been said by the most atrocious libellers of the constitution could be reprehended by administration; because the arguments of the right honourable gentleman went to prove, that we had a constitution in words, but not in reality. But thank God, he exclaimed, this was not true; for the bill of rights was in direct contradiction to what had been advanced by the chancellor of the exchequer and his right honourable friend (Mr. Windham) who sat near him. That right honourable gentleman had thought fit last year to manifest his fears, and had supported the minister in every question, since he joined the ministerial standard. He had deserted his friends, because he thought the constitution in danger: this he must attribute to the acuteness of his feelings; and the same motive which urged him to depart from his friends, should now have induced him to resist this most violent and unconstitutional stretch of prerogative.

Mr. Fox reprobated the conduct of ministers, in attempting to justify the landing of foreign troops in this kingdom without the previous consent of parliament. It was unnecessary for him, he said, to point out the consequence that must arise from such doctrines, if adopted, where foreigners, being the instruments of any misguided prince or licentious government, might be turned against the dearest rights of the constitution. Great stress had been laid by the chancellor of the exchequer on the circumstance, that they were not to remain long in the country; but now the House was informed that they were to remain in the kingdom until sent on foreign service. He was of opinion, that a bill of indemnity should have been at least introduced to justify the measure, a measure which, during the American war, was declared, in both Houses of Parliament, to be one that annihilated Magna Charta. If a bill of indemnity had been brought in, the preamble would have run thus, as in former instances; "Whereas certain doubts have arisen:" but to this constitutional phraseology the minister was averse, as he argued, that the prerogative of the crown was fully competent to the introduction of foreign troops, agreeably to the bill of rights. His

learned friend (Mr. Serjeant Adair) had observed, that it was better not to argue the question than for the opposers of his honourable friend's motion to have a decision against them; but this was an argument to which he never could be brought to subscribe; for, though left in a minority, it was his duty to persevere in what he thought for the benefit of his country; and though the House might not take care of its honour, it did not follow that he should deal treacherously with his own. A bill of indemnity had been offered to the right honourable the chancellor of the exchequer, but this he rejected with indignation: he, however, conceived it equally the duty of parliament to form a bill of indemnity on one question, as it might be necessary to bring forward a bill of attainder on another. But if a bill of that nature was brought forward, gentlemen on the other side of the House would thereby seem to confess, what they were not willing to admit, that the prerogatives of the sovereign were not such as they wished to maintain, though he trusted, that the House would ever exercise its dignity, and shew them that the king was endowed with no prerogative that militated against the constitution.

It had been said on the other side of the House, that the gentlemen who supported the motion had presumed on more wisdom than their ancestors; although the precedent of 1737 clearly bore them out in every argument they had offered. It was urged, too, that they had not brought forward a single new argument on the subject in debate. Then, how inconsistent was it to accuse them of being bold innovators, and agitators of a question repeatedly discussed, and which it was argued should sleep for ever. Mr. Fox ridiculed with much success the idea that as the word "war" was not precisely specified in the bill of rights, and the word "peace" was alone mentioned, that his majesty could, consistently with the constitution, introduce foreign troops into the kingdom. This, he said, was a fallacious argument, reprehensible in the extreme, as being a most daring attack on the principles of the bill of rights, which he defined not to be an enacting, but a declaratory law, upon which the House should, on all occasions, put the most liberal construction. Allowing the right honourable the chancellor of the exchequer every argument that could operate in his favour founded on the precedents which he adduced, he would ask him what had been the law anterior to the passing of the bill of rights or the act of settlement? If the House had been guided by precedents, those acts never would have passed, which prevented the landing or the suffering of foreign troops to remain in this kingdom. He maintained, that it was monstrous and absurd to say, according to the right honourable gentleman's definition of the bill

of rights, that the royal prerogative could be exercised to land foreign troops in this country in time of war, or in time of peace. If this were the case, how could he reconcile to himself the mutiny bill, the preamble of which did not recognize any such prerogative, but was in direct contradiction to the arguments adduced by the right honourable gentleman?

Mr. Fox reminded gentlemen of the debates that had taken place in the year 1775, on sending foreign troops to garrison Minorca and Gibraltar. With what indignation was the preamble of a bill of indemnity brought in by ministers then received, because it stated that doubts had arisen respecting the legality of employing foreign troops in any part of his majesty's dominions without the consent of parliament! The bill with this preamble passed the House of Commons: but when it came to the House of Lords, it was thought better to throw it out entirely than suffer it to pass with a doubt expressed in it on a point of such constitutional importance. During the debates on this subject it was that Lord Camden had laid it down as a maxim, that the law knew no distinction between peace and war, with respect to the right of bringing foreign troops into this country, and that it could be done at no time without the previous consent of parliament*. The bill of rights, Mr. Fox said, was to be considered as declaring the constitution on particular points recited in it, which had been previously attacked and endangered, not as declaring the whole of the constitution. In what books, or in what practice anterior to the Revolution, did gentlemen find this distinction between peace and war, which they now so much relied on? The Dutch guards in the time of William the third, were not suffered to remain in this kingdom by virtue of the royal prerogative. They were voted in the army estimates, and had therefore the sanction of parliament. Where, he asked, could an instance be brought of foreign forces being introduced, without the approbation of the Commons? In the year 1745, it was true, they were introduced; but then the country was in a state of rebellion, and even at a period so alarming, it was acknowledged that the minister did an illegal act, for doing which he was indemnified by the subsequent approbation of parliament. In 1775, there was a previous consent of the House, and therefore all these precedents went to deny that any such dangerous prerogative existed in the crown, which those gentlemen, who opposed his honourable friend's motion had suggested. An act of indemnity, he confessed, was unusual where it applied to the officers of the

* See New Parl. History, vol. xviii. p. 811.

crown, when acting illegally; but where a number of persons were implicated; for instance, if these troops were resisted by those on whom they were billeted, in consequence of their being an illegal force, a circumstance which might lead to consequences the most disagreeable and dangerous, then a bill of indemnity was necessary to avert the evil. So far such a bill, in his mind, would have been a more salutary measure, than the previous question, which had been moved by his honourable and learned friend:

Mr. Fox entreated gentlemen to act with great caution and deliberation on a quession as momentous as ever arrested the attention of a British parliament, and to resist, with a manly firmness, the strange and incoherent doctrines advanced by his majesty's ministers. It had been asserted, that these foreign forces had been introduced here for the purpose of foreign service; but he cared not what was the cause, where the consequences to the bill of rights were so fatal. Subsequent events might reveal the mystery. But again he would wish to impress on the House the consequences which might attend this unwarrantable exercise of the prerogative, if these troops were to become the instruments in the hands of a wicked prince, or a venal minister. The divine prerogative of the crown was language which he did not expect to have heard in the course of that night's debate. During the arbitrary reign of James, it was true that it was considered blasphemous to attempt defining that prerogative, to which he set no bounds; but he conceived at this time that words more suitable to the tongues of British freemen, were those that defined and supported the divine rights of the Commons. They were assured by his majesty's ministers, as an excuse for the landing of these troops, that they were not to remain long in the country. But this was not the question. Would the minister say that the introduction of these troops was legal or consistent with the spirit of the constitution? Who were to tell an army of Austrians, of Hessians, of Hanoverians, or of Dutch, that their further continuance in England was contrary to law? He would repeal, he said, to the right honourable gentleman's own good sense on the occasion, whether or not it would be either wise or prudent to neglect ascertaining our rights, till we were surrounded by an army of foreign mercenaries—till the critical period arrived, when the members of that House would be questioned on their ingress and egress respecting their political sentiments—till they were surrounded by perhaps 30,000 usurpers, who, under the pretext of defending their liberties, would sacrifice and violate the few remains of the constitution. Let gentlemen recollect the danger of an imperious military government—let them recollect, that a

powerful army was an engine of the most alarming nature—let them remember, that such a weapon had more than once overthrown the liberties of Europe—that if we yielded in the first instance, we betrayed the confidence reposed in us by our fellow-citizens—that he who dared present our bill of rights as a remonstrance to an army of foreigners, would find it a useless piece of parchment—and that our wisest conduct would be a steady adherence to the maxims of prudence of our ancestors, who had uniformly resisted, upon this point, every act of innovation. By pursuing a contrary conduct, we should hazard the liberties of the people and the privileges of parliament, and he entreated those who heard him not to desert either, through private friendship or personal interest. If there existed a party in this country who manifested a wish to lower the monarchical branch of the constitution, that party would be defeated by not rendering that power odious by a wicked and dangerous extension of the prerogative of the crown. Let the Commons prove true to the people, and the people would remain obedient to the commons. We had no invasion to fear but an invasion of the constitution; and the parliament, which was its natural watchman, would regard with a jealous eye any measures calculated to destroy the balance of power in the three estates, by an unconstitutional extension of the prerogatives of the crown. At a moment when the eyes of the world were turned towards the constitution of England, he implored the House not to suffer its admiration to cease by defacing this noble structure. Ireland, he said, was a free and imperial kingdom; though she might suffer foreigners at home, yet if they once crossed the channel and arrived in this country, they must be recognized as an illegal army, and government could not, without the consent of parliament, suffer them to remain in this kingdom. It was therefore incompatible with Magna Charta to oppose the motion of his honourable friend; and, consistently with the arguments he had had the honour of submitting to the House, he must oppose the previous question.

The previous question being put, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey Mr. Plumer	35.	NOES	Mr. Hide East Mr. Yorke	184.

Mr. Grey's motion was consequently negatived.

March 14.

This important subject was again brought before the House by Mr. Grey in a somewhat different form. He controverted, in the strongest terms, the opinion given in the course of the former debate by Mr. Pitt, which, coming from such authority, he regarded as of the utmost importance. Mr. Grey said, that he was far from calling in question the propriety or necessity of landing the Hessians; but he could never suffer it to be advanced, as a principle of the constitution, that the king had a right to introduce foreign troops into the kingdom as a regular branch of the royal prerogative. On the contrary, the letter, spirit, and practice of the constitution all militated against it. He concluded with moving, "That leave be given to bring in a bill to indemnify such persons as have advised his majesty to order a certain corps of Hessian troops to be disembarked and stationed, for the present, on the Isle of Wight, at Portsmouth, and the places adjacent." The motion gave rise to another interesting debate. The prerogative of the crown to introduce foreign troops without the consent of parliament was defended by Mr. Grenville, Mr. Anstruther, Mr. Yorke, the attorney general, and Mr. Pitt. Mr. Grey's motion was supported by Mr. Francis, Mr. Serjeant Adair, Mr. Sheridan, the Earl of Wycombe, Mr. W. Smith, Mr. William Adam, and Mr. Fox.

Mr. Fox said, it was not his intention to enter into any argument, after the able discussion the question had received from his honourable and learned friend (Mr. Serjeant Adair); nor, indeed, was there any occasion, for none of the arguments which he had advanced had been in the least refuted. His honourable and learned friend had considered the subject in a plain and manly point of view; and from what he had heard advanced by him, and from his own opinion on this important subject, he concluded, that if the introduction of foreign troops into this country was legal, to talk of liberty was absurd, to speak of a free constitution was weakness. If the House did not come to some resolution on the illegality of the measure, all the libels of those who said we had no constitution would be converted into melancholy truths; and even Mr. Paine himself had not written a word of falsehood; but the question had been that night too well argued for him, or any unprejudiced man, to entertain a doubt upon the subject. Ought such a question to be agitated in a free parliament? Ought such assertions as had been advanced, to find their way into that House? Or ought we to remain a moment in doubt, whether such a dangerous and arbitrary

power should be vested in the hands of the executive magistrate? If there was, or if there ought to be, such power in his majesty's ministers, all he would say was, that every idea he had formed of the British constitution was vanished; and as long as he remained in that House, and had the liberty of speech, he would remind the House of its situation; and again and again remind the country also, that it was not the intention of our ancestors that his majesty's ministers should possess this authority. The attorney-general had, although he opposed the motion, again declined to state his own opinion on the general question; but it was not very difficult to guess what his opinion must be; for if it had been conformable to that of the minister, it would not have been withheld. Indeed, he was surprised to see the learned gentleman so soon forget those sentiments he had advanced on a former night: the learned gentleman seemed to feel the difficulty of his situation, and Mr. Fox said he was afraid he could not help him out of that difficulty.

As to the illegality of introducing these troops, he hoped there would be but one opinion. He trusted that the House would execrate the idea of the crown having this power; and he hoped it would be equally execrated throughout the country. The objection made that night to the motion was, that, because bills of indemnity were unusual, they ought not to be granted. On a former night the motion was refused, because it was unnecessary. Indeed, there were different opinions in the House on this clear and constitutional principle; some said they ought not to interfere because the measure was illegal; others justified the proceeding; whilst others refused to give any vote on account of the illegality. With regard to precedents, they had been so fully debated, that he would not trouble the House on that head. He said it would be criminal to sit silent now, and not at least establish a precedent for our posterity, since it was the silence of other parliaments on similar questions, that gave us the smallest cause to doubt of the illegality of such a prerogative as was now maintained. Had this occurred to those great men who framed that act, or had they the smallest doubt that the legality would be disputed, they would have guarded against the cunning of the artful servants of the crown. One honourable gentleman had alluded to the case of a sick Hessian, and had asked, if one sick Hessian was landed on our coast, would we require a bill of indemnity? And this case, he said, applied in the present instance. But how could any gentleman use such an absurd argument? Was that the case, or was it not? When this message was sent down by the crown, it was asked, how many foreigners were to be introduced? His majesty's mi-

nister answered he could not declare. It was next demanded, how long they were to remain in this country? On that head we were left equally uninformed. But now it turned out, that this country was to be the rendezvous of this foreign army, and here they were to remain till a descent on France should be practicable. He declared he should be very happy if the House would agree to the motion, and give his honourable friend leave to bring in a bill; for the legality of the power would then be fully discussed, and the people of this country would know whether or not they were free, and whether their constitution was worth protecting.

It had been said that every prerogative was carefully watched, and that ministers were responsible for any abuse. He did not suppose a minister would engage in a measure decidedly illegal, unless he had some grounds to justify that illegality; but if their intentions were pure, if they were upright, what objection could they have to this bill of indemnity? He could not dive into the hearts of men, but he knew ministers were naturally attached to prerogative, and often increased it to answer some favourite object. He alluded to the argument that had taken place in 1767 respecting the corn embargo, and quoted the authority of Lord Mansfield, to shew the propriety of ministers having recourse to indemnity, when even necessity should urge them to act illegally. Nothing could be more dangerous than this prerogative, unless, indeed, the refusal of the crown to assemble parliament. If a minister could introduce foreign troops when the parliament was sitting, he might as well attempt it when it was not sitting. In such a case, every subject was bound to rise in arms to oppose him, and bring him to a proper sense of his duty.

He trusted that gentlemen would not return to their constituents, and tell them that the minister had the power to introduce foreigners at his discretion. That they would not say, "We have reposed in him, with regard to mercenary Hessians, that power which we are jealous of giving with respect to our own militia. We have permitted him to send from the country our own regular troops, and have suffered him to substitute in their place Prussians, Hessians, Austrians, or Russians. We have surrendered those rights which our fathers struggled to procure; we have reposed in him that unlimited confidence which his predecessors were never suffered to enjoy. We gave our liberties to be protected by strangers, who are ignorant of their value; we have thus sported with your freedom, and abandoned your dearest rights to the discretion of ministers." No, said Mr. Fox, let us not betray the trust reposed in us; let the crown lawyers come

forward and not decline giving their opinions: let them defend this important point: let them declare the language of the British law, which is so clear and decisive on the subject; and let no man in this House conceal his sentiments on this material, this fundamental principle. He said he would vote for the bill, though he would not deny that he preferred the former motion, as the more regular and parliamentary proceeding. On the decision of that night the liberties of Englishmen were at stake; for, if the legality of the proceeding should be confirmed, those liberties would thereby receive a shock from which it would be impossible, he feared, to recover.

After Mr. Pitt had replied to Mr. Fox, the House divided on Mr. Grey's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey Mr. Francis	41.	NOES	Mr. E. J. Elliot Mr. Anstruther	170.

So it passed in the negative.

ABOLITION OF THE SLAVE TRADE.

February 25.

ON the 7th of February Mr. Wilberforce obtained leave to bring in a bill "for abolishing the trade carried on for supplying foreign territories with slaves." Upon the second reading of the bill on the 25th, in reply to Mr. Jenkinson, who thought the bill could produce no good, inasmuch as it could not operate during the continuance of the war, (for during that time the foreign trade could not exist,) and was likely to produce evil,

Mr. Fox said, that as the honourable gentleman who spoke last admitted the trade proposed by this bill to be abolished for ever, had now no existence, it would be impossible for him to maintain with any consistency the impropriety of this bill. Because, if the trade had no existence at present, the question was, Whether we should revive it? The trade now having no existence, what became of all the arguments they had heard concerning the mighty capital embarked in it, the sanction which parliament had given, from time to time, to its continuance, the violent attack on private property, the injury

to commerce, the danger of innovation? All these arguments, if arguments they could be called, were fled; nothing now remained, but for parliament to take care that, having fled, they should never return. This was essentially and emphatically their duty; because, if parliament should now remain silent upon the subject, the friends of the trade, on attempting to revive it, would say, that not having taken measures to prohibit the revival when the trade was dead, and consequently no injury could arise to any individual, they had acquiesced in its principle, and held out encouragement for others to adventure when an opportunity should offer; and then it would again be attempted to be proved, that parliament had pledged itself to support this abominable, this execrable traffic.

Having said this, he came to notice the determination of that House, to abolish the slave trade gradually, and the period at which the House had fixed the final abolition of this trade, namely, the 1st of January, 1796. Of that resolution he considered the present bill a material part, and the House in pursuing it did nothing more than hold out to this country, to Europe, to the world at large, that they were sincere in their intention. He trusted also that the honourable gentleman (Mr. Wilberforce) who first brought forward this subject, would not abate in his zeal and ardour for the glorious cause in which he had engaged. Perhaps it might not be absolutely necessary in this session, but, sure he was, that the agitation again in that House, of the general question of the total abolition of this detested traffic, should not be delayed beyond the next; for he was clearly of opinion, it could not be too frequently agitated. In what state was this great question at the present moment? He would not speak with disrespect of the House of Lords; but, surely, if this question had, from the multiplicity of business before their lordships, not received their determination, it could not be improper for the House of Commons to be vigilant, and to remind their lordships of the subject. The House would recollect, that the Lords had received the resolutions of the House of Commons on the subject of the slave trade in April 1792. What progress their lordships had made in the subject he could not find, but he had understood that their lordships had that very day farther postponed the consideration of the slave trade to that day fortnight. Therefore, if the Lords delayed this question, if they shunned it, if they shrank from it, if they shifted or neglected it, the House of Commons ought again and again to remind them of it. He did not accuse their lordships of any sinister intentions upon this or any other subject; he had too much confidence in their in-

tegrity, their justice, their humanity, and their prudence, to suspect them of any intention to prevent the abolition of so foul a trade.

The bill passed the Commons, but was rejected by the Lords.

MR. WHITBREAD'S MOTION FOR A SEPARATE PEACE WITH FRANCE.

March 6.

DIVERS treaties which his majesty's ministers had concluded with the several powers forming the coalition against France, having, by the enormous expence they created, and the nature of the obligations therein contracted, become objects of such magnitude, as to excite great alarm throughout the country, Mr. Whitbread this day moved; "That an humble address be presented to his majesty, to represent to his majesty, that his faithful Commons having taken into their serious consideration the various treaties which have, by his majesty's command, been laid before this House, cannot forbear to express their deep concern, that his majesty should have been advised to enter into engagements, the terms of which appear to this House to be wholly incompatible with the declarations repeatedly made to this House from the throne, relative to the professed objects of the present unfortunate war: To represent to his majesty the affliction and alarm of his faithful Commons, that his majesty should have been advised to make a "common cause" with powers whose objects are unavowed and undefined, but from whose conduct his faithful Commons have too much ground to dread, that they carry on war for the purpose of dictating in the internal affairs of other countries; views which have been repeatedly and solemnly disavowed by his majesty and his ministers, and which are utterly abhorrent from those principles upon which alone a free people can, with honour, engage in war: To represent to his majesty, that if the present war had been what his majesty's message in the last session of parliament stated it to be, a war of aggression on the part of France, and of defence on the part of Great Britain, that, by a treaty previously in existence between his majesty and the King of Prussia, the co-operation and assistance of that power were insured to this country: That it does not appear to this House, that the succours stipulated by the defensive treaty of 1788 have been required by his majesty, but that a new convention has been entered into, the stipulations of which have no other tendency than the involving us in schemes, as foreign to the true interest, as they are repugnant to the natural feelings of Englishmen, and of imposing a restraint upon his majesty's known disposition to

avail himself of any circumstances which might otherwise enable him, consistently with the honour of his crown, and the welfare and security of the country, to relieve his people from the present burdensome and calamitous war: To represent to his majesty, that the irruption of the French into Savoy, and their possession of that part of the dominions of the King of Sardinia, did not appear to his majesty so far to endanger the balance of power in Europe as to induce his majesty on that account, to commence hostilities against France. That his faithful Commons do therefore express their disapprobation of that part of the treaty recently concluded between his majesty and the King of Sardinia, by which his majesty is bound not to lay down his arms until the restitution of Savoy shall have been accomplished; a species of engagement which it can at no time (excepting in cases of the greatest emergency) be either prudent or proper to make, and much less for an object which was not deemed, in his majesty's wisdom, to be so connected with the interest of this country, as to occasion a declaration of war: To represent to his majesty, that it appears to his faithful Commons to be the general tendency of these engagements, to involve us in connections of undefined extent, for objects which we disapprove, and have disavowed: and this, with powers on whose principles of equity and moderation we are instructed by experience, to have no reliance, and whose complete success may, in our opinion, prove fatal to the liberties of Europe: To represent to his majesty, that having thus expressed our sentiments upon the engagements which his majesty has been advised to contract, we feel it our bounden duty most humbly and earnestly to implore his majesty to consider of such measures, as to his royal wisdom shall seem adapted (consistently with that national faith, which, in common with his majesty, we desire to preserve religiously inviolate,) to extricate himself from engagements which oppose such difficulties to his majesty's concluding a separate peace, whenever the interests of his people may render such a measure advisable, and which certainly countenance the opinion, that his majesty is acting in concert with other powers, for the unjustifiable purpose of compelling the people of France to submit to a form of government not approved by that nation."

Mr. Whitbread supported this address by a variety of powerful arguments. The views of the combined powers were justified by Mr. Jenkinson, who stated, that the main object of the war was, to recover from the French the countries they had taken. The means employed to obtain this end were, he said, entirely proper. We could not be too solicitous in preventing the French from extending their dominions. The honourable mover had endeavoured to make a deep impression on the minds of the members by an appeal to their passions respecting the melancholy case of Poland. Such an appeal was, however, in his opinion, inapplicable to the present situation of affairs. There was an old adage, that when your own house is on fire, you ought not to exert yourself to extinguish the flames in that of your neighbour. But he affirmed, that while his own house was on fire, he would

not go the distance of a mile to extinguish the flames of another. Forming the analogy, he insisted, that it was absurd to talk of Poland, a territory at such a distance, when there were the greatest apprehensions of danger so near home. While we lamented the misfortunes of Poland, let us look to ourselves; let us endeavour to extinguish the flames of discord which now prevailed in France, and then we might have a chance of peace on rational and permanent grounds.

Mr. Fox said, that he thought himself bound, in the first place, to return his most cordial thanks to his honourable friend, for the able and eloquent manner in which he had brought forward the motion, and, next, to give it every degree of support and countenance which it was in his power to bestow. An answer to a very small part of his honourable friend's speech had been attempted to be given by an honourable gentleman; but those arguments, which had been deduced from the general distress of the country at the end of what had been most falsely called the tenth year of unexampled prosperity, and the consideration of the enormous and increasing burdens under which we groaned, had been passed over in silence, and that for a reason sufficiently obvious, namely, because they were unanswerable. Independent of any remark with regard to the origin of the war, on which so much had already been said, it still remained for them to examine into the manner in which the war was conducted, and into the views of those with whom we carried it on. It was impossible, by any sophistry, to evade the conclusion, that Austria and Prussia were the fomenters of this contest, by the stipulations of the treaty of Pilnitz; a treaty which had for its object an unwarrantable and impious purpose, namely, the destruction of an independent state, by lawless and insatiable ambition. When this was considered, every principle of reason and morality loudly called upon us to balance the advantages we might reap from such an alliance, with the shame and disgrace attendant upon any engagement with those with whom we had connected ourselves. It had been asked, in respect to Poland, whether or not when our neighbour's house was on fire, it would be wise to run to extinguish a fire at a mile's distance? Mr. Fox begged leave to continue the allegory, and to ask, whether it would be commendable in a man, when he found his neighbour's house on fire, to call in a band of plunderers and robbers to his assistance. Rather than make a common cause with them, either by pumping the engine, or even handing them a bucket, he would hazard every danger to which he might be exposed by the conflagration.

He admitted that the treaty of Pilnitz, although a notorious aggression on the part of the Emperor and the King of Prussia,

was an aggression for which an apology might have been made and accepted, provided all intention of following it up had been unequivocally disavowed. But, was the treaty annulled? Was any apology made for it? Did not the emperor persist in avowed interference in the internal affairs of France? Did he not make constant complaints of the clubs of France, and other matters which could only concern the sovereign of the subjects of that country? With respect to the King of Prussia, he had no pretext for attacking France. He did not even pretend that he had any. He never called upon us for those succours, which, had he not been the aggressor, we were bound by treaty to furnish him. Next, we were told, that the conduct of those powers with whom we were confederated towards Poland, was not to be considered with relation to the present war. From the same persons who held this language, he had often heard on former occasions, that a commercial connection with Poland might be one of the most valuable that this country could form. That system was now forgotten. Poland was no longer of importance in the scale of nations. Be it so: but, were we to shut our eyes to the perfidy of those powers with whom we contracted alliances? Where was the instance in the French convention, or the jacobin club, that could match the perfidy of the King of Prussia to Poland? He not only encouraged the Poles in modelling their constitution, but he publickly congratulated them on having made their monarchy hereditary in the family of his relation, the Elector of Saxony; and twelve months after, he had the unexampled impudence to declare, that this very alteration had given just offence to the Empress of Russia, and was a sufficient cause for joining his arms to hers against Poland. Surely, this was sufficient to teach us caution! When negociation with France was the question, we were told, "Think not of France as a nation, look not to general maxims of policy, consider only the morals and characters of the men with whom you must negociate." When the conduct of our allies was mentioned, we were told, "Think not of the cruel and perfidious dismemberment of Poland, look only to the present object, and the aid they can afford you to obtain it." Hence he conceived this was the inference, "Make peace with no man of whose good conduct and good faith you are not perfectly satisfied; but make an alliance with any man, no matter how profligate or faithless he may be."

When he spoke of kings, he desired always to be understood as speaking of courts and cabinets; for he held it to be, in general, as true in other countries as in this, that for the actions of princes their ministers were responsible. Till that disgrace on civilized society, the imprisonment of the virtuous

and meritorious La Fayette was done away, no Frenchman who loved his country could repose confidence in the professions of the combined powers. It was in vain that we had virtue, humanity, religion in our mouths, while passion and malignity were rankling in our hearts, and displayed in our actions. He had been informed that the King of Prussia, in answer to applications for the liberation of M. de La Fayette, had said, that La Fayette was not his prisoner, that he was the prisoner of the combined powers, and could not be released but by general consent. This answer he knew had been given; with what truth, ministers could best tell: but even if it was false, it was so much the more incumbent upon us to clear ourselves from the obloquy of being parties to the cruel treatment he had received. By our own declarations, although these were not all very consistent with one another, we engaged to support the constitution of which La Fayette was one of the principal authors. Under the constitution of 1789, we accepted of the surrender of Toulon, in trust for Louis XVII. According to the forms of that constitution, the government of Toulon was administered while we were in possession of it. Louis XVII. was not styled King of France and Navarre, as by the old government, but King of the French, as by the constitution of 1789. On the restoration of monarchy we offered peace to the French, and thus we explained, that we would be satisfied with that sort of monarchy which La Fayette had assisted in endeavouring to establish. Where was the French constitutionalist who did not then call for La Fayette? With how much more effect might he have been sent commissioner to Toulon than Sir Gilbert Elliot? But, mark the horrible contrast between our words and our actions. While we were holding this language to the people of Toulon, he who loved rational liberty, who loved his country and his king, who had sacrificed, in their defence, all that makes life desirable, was languishing in one of the most loathsome dungeons of a Prussian prison. About the same time that we were professing to support the constitution of 1789, General Wurmser had entered Alsace. What were his orders from the emperor? Did he profess to support the constitution of 1789? No: his orders were to abrogate every authority under that constitution, and restore the old form of government. This, which was matter of fact and practice, proved that the views of the emperor could not be the same with ours.

When Dumourier, the most enterprising and the most active general that had lately appeared, proposed joining the Prince of Saxe Cobourg, he was declared a wise and virtuous citizen, resolved to give peace to his country, and to assist

with his army in restoring, not the old despotic system, but the limited monarchy of 1789. Why was this proclamation issued by the prince of Saxe Cobourg? Because he meant to adhere to it? No such thing. As soon as Dumourier's defection was found to be, not the defection of an army, but of a general and a few followers, all his wisdom and his virtue vanished with his power, and within four or, at most, five days, the Prince of Saxe Cobourg, without waiting to see what effect his proclamation would produce in France, with audacity and effrontery unparralleled in history, issued a second proclamation retracting every word of it. This he mentioned to shew, that there was as little sincerity in the emperor's professions as in those of the King of Prussia. The Prince of Saxe Cobourg was not a man to issue proclamations hastily or without orders; and from the dates, and other circumstances, it was evident, that he must have had the second proclamation by him when he issued the first. Soon after, the "wise and virtuous" Dumourier came to this country, which he was almost immediately ordered to quit; and he had since been reduced to a situation not much to be envied by a French general even before the revolutionary tribunal. What was the lesson thus held out to Frenchmen? That it was better to run the hazard of the guillotine in France, than to take the certainty of misery and contempt among the allies. Such was the capacity we had shewn for overthrowing the jacobin power in France! Had the King of Prussia, or had Russia, acceded to our views any more than the emperor? If they had, what better security for their good faith had they given us, than they had given to Poland? Were they, who held themselves bound by no engagements, to make a splendid exception in our favour, and keep sacred to us promises which were given to others only to betray? We talked of indemnity for the past, and security for the future, as our objects in the war. Let us suppose ourselves in the situation of a well-disposed person in France, an enemy to the tyranny of the jacobins, and see how these would operate. Security we might think reducing the exorbitant power of France, and to this the well-disposed Frenchman might assent. For indemnity, we might be content with some of the West-India islands; and to this also the Frenchman might agree. But, then, our allies would want an indemnity, and what would be enough for them? If the Frenchman looked to Poland, he would see that nothing short of the partition of France would satisfy them; and could he be expected to risk his life by rising in opposition to the convention, when the most flattering prospect was the ultimate ruin of his country? If France should be subdued, (an event which he never considered as probable,)

the whole kingdom might not be sufficient to indemnify all the powers at war; and then we must have to fight for the division of the spoil, without even that delusive calm, which had been said to be all that could now be obtained by a peace with France. It was pretty well known that some of our allies were not very cordially disposed towards one another. Where Prussian and Austrian troops were brought together they were much more inclined to fight with each other than against the common enemy, and were only restrained by the strong arm of power. Except ourselves and Holland, not a state had joined the confederacy but those under absolute monarchies. Holland, we all knew, had been drawn into the combination by influence equivalent to force, and would rejoice in an opportunity of getting out of it with safety.

But he should be told, that it was easier to look back and find fault than to look forward and point out a remedy. The motion made by his honourable friend presented the means of finding that remedy. The inclination of Holland to peace could not be doubted; Spain, if he was not much misinformed, would consent to it without any indemnity; and it was very generally reported and believed, that Prussia demanded of us a subsidy of 700,000*l.* as the condition of prosecuting the war. This, if true, was a fortunate circumstance, for it opened a door for peace with the consent of all the allies. The late campaign had been called successful beyond our hopes. The latter part of it, certainly, was not that which could be thought the most fortunate. Now, after being told, as the House was repeatedly told last session, that France was only capable of one desperate effort; and after seeing that effort baffled, in the early part of the campaign, but the loss nearly repaired in the subsequent part of it, not by desperate efforts but by perseverance, he could not entertain very sanguine hopes of the next campaign, even if it should begin as brilliantly as the last. He was not bold enough to assure himself, or the House, that we should be able to obtain the restoration of Savoy, which we had bound ourselves by treaty to obtain; but if he were, he should still object to giving the means of making peace out of our own hands. When ministers were charged with neglecting the business of convoys, they answered, that France, in the first instance had reaped the fruits of her unexpected aggression; yet this unexpected aggression, as it was called, was made several months after the conquest of Savoy, after the battle of Jemappe, and the invasion of the Austrian Netherlands.

Mr. Fox said, it was matter of great consolation to him, that in spite of popular clamour, he had used every endeavour

to prevent the war; and, when it was unfortunately commenced, to render it as short as possible. Believing now, that several of the allies were disposed to peace, he thanked his honourable friend for affording him an opportunity of repeating and recording his opinion on the subject. He would say nothing of the calamities inseparable from war, although on every question they were perfectly in order. It was idle to say, that because they were general topics, and applicable to every war, they were fit matter of argument against none. The very circumstance of their generality, rendered them matter of serious consideration before we entered upon any war. It was impossible to devise productive taxes that would not fall ultimately upon the lower classes; and when such additional burdens had been imposed, it was impossible to call war a state of prosperity. Every new tax fell heavier than those which went before it, because its weight was added to that of all the preceding. Thus, the taxes for the American war fell heavier than those for the war preceding; those for the present heavier than the taxes for the American war; and those for any future war must be heavier still.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Whitbread Mr. Sheridan	26.	NOES	Mr. J. Smyth Mr. Pole Carew	138.

So it passed in the negative.

MR. ADAM'S MOTION RESPECTING THE TRIALS OF MESSRS. MUIR AND PALMER.

March 10.

BY sentences of the court of justiciary at Edinburgh, and of the circuit court at Perth, Mr. Muir and Mr. Palmer, for the crime of leasing-making, were adjudged to transportation, and Botany Bay was understood at the time the sentences were passed to be the place to which they would be transported. These were the first instances in which transportation was imposed by the court of justiciary in Scotland for an offence of that nature. On the 10th of March, Mr. William Adam called the attention of the House to the subject, by moving for a copy of the record of the trials of Thomas Muir and the Rev. Fysche Palmer. From the records demanded, his object, he said, was to question the legality of the sentences passed upon them. But as no appeal could lie from the decision of the court, however questionable, he proposed, in consequence of the doubtfulness of the case, to move for the

production of certain records relating to the trial, and for a petition to the crown in their favour. The crimes for which they were indicted, were stated in Scotland leasing-making, corresponding to that misdemeanor in England, called a public libel on the government, and tending to disturb the peace. No other crime was charged in their indictment; and transportation could not be legally inflicted for leasing-making: the only punishment for which by law, was fine, imprisonment, or banishment. Nor, if the acts charged in the indictments did not amount to leasing-making, were they charged with any crime known to the laws of Scotland. He then adverted to various circumstances attending the trial, which he decidedly reprobated as oppressive and unjust; and condemned the sentence altogether, as illegal, arbitrary, and unwarrantable. On these grounds, Mr. Adam maintained, that their punishment exceeded all the bounds of equity and moderation. He concluded by declaring, that he had undertaken the present business neither from interested motives, personal affection to the sufferers, whom he knew not, nor disrespect to the judges who had presided at these trials; but solely from a persuasion, that an impartial administration of justice was the surest preservative of public liberty, and that the perversion of the law, where the interest of the whole community was at stake, tended to introduce despotism or anarchy.—The lord advocate of Scotland, Mr. Windham, and Mr. Pitt, contended strongly for the propriety of the sentence, and of the proceedings of the Scotch courts. The first of these gentleman even went so far as to assert the superiority of the Scotch over the English laws, for the punishment of libels and the suppression of sedition. The second seemed to insinuate, that if the English laws were not equal to those purposes, the Scottish law should be substituted.

Mr. Fox rose and said:—It was my wish, Sir, that this question should neither be agitated in this House, nor in the House of Lords; but since it has been brought before the House, and since doctrines of the most extraordinary and monstrous nature that ever fell from any gentleman within these walls, have been advanced by a learned lord opposite me, who has risen to vindicate the conduct of the tribunal of Scotland, and to defend the part which he has taken in the proceedings, notwithstanding the lateness of the hour, I should feel myself deficient in the duty which I owe to my own character, as a representative of a great and free people, if I withheld my sentiments, and contented myself with giving a silent vote on this occasion. The present, Sir, is a question of the greatest importance—a question involving in its consideration, not only the fortunes of two suffering and oppressed individuals, but the consequences which will be produced to posterity, by establishing a precedent inimical to the liberties of mankind. No wonder, Sir, that my honourable friend who has just sat down, (Mr. Whitbread,) should

have displayed such honest indignation, and expressed himself in so feeling a manner on such a subject; but there is one point in the speech of my honourable friend, which I cannot help taking notice of, and on which I am under the necessity of entirely dissenting from him. My honourable friend has declared, that if any minister should dare to introduce into this country the law of Scotland, he hoped there would be found in this House men bold enough to impeach him. I cannot agree with him on this point; for so dearly do I prize the freedom of debate, in such veneration do I hold the free and unlimited discussion of any political or constitutional question within these walls, and so jealous am I of every thing which would look like an infringement of this our most valuable privilege, that if the minister were to advance the most dangerous and detestable principles, if he were even to propose a bill to this House, to alter the succession to the throne, and introduce in the place of our sovereign, a foreign pretender, I would hold him justifiable for the unconstitutional measures he attempted to introduce, and would with my voice endeavour to rescue him from a public impeachment or prosecution.

The learned lord over against me, in his panegyric on the laws of his own country, has thought proper to throw out insinuations against the laws of England. From his train of reasoning, and from the many arguments he has brought forward, in attempting to defend his favourite system of Scottish jurisprudence, it struck me, and it must have struck every man open to the most common impressions, that it was his sincere and fervent wish, that his native principles of justice should be introduced into this country; and that on the ruins of the common law of England should be erected the infamous fabric of Scottish persecution. Indeed, Sir, when I recollect what has been advanced by the learned lord, I can easily account for the sentence pronounced against these two unfortunate gentlemen. If that day should ever arrive, which the lord advocate seems so anxiously to wish for — if the tyrannical laws of Scotland should ever be introduced in opposition to the humane laws of England, it would then be high time for my honourable friends and myself to settle our affairs, and retire to some happier clime, where we might at least enjoy those rights which God has given to man, and which his nature tells him he has a right to demand.

I will now, Sir, address myself to my honourable friend who has just sat down (Mr. Windham), and ask him what he meant by an expression which fell from him, implying a doubt of the laws being adequate? Does he mean to assert

that the laws are not adequate in this country to punish sedition? There was a time when my honourable friend agreed with me, that the laws were adequate, and surely he must think so still. He has told us, that if they are not sufficient to check the career of sedition, laws ought to be introduced to answer that purpose. Would my honourable friend introduce the tyrannical laws of Scotland? No: struck with a sense of the cruelty of the punishment which has been inflicted on these gentlemen, struck with a conviction of the iniquity of the whole proceedings, impressed with a veneration for the laws of his country, and an apprehension of the inevitable and fatal consequences that must result to English liberty, from the horrors of such innovation, he has qualified a little his expression, and has ingeniously slipt in an *if*, — "your *if* is the only peace-maker, much virtue in *if*." My honourable friend has said, *if* the laws are not adequate, why then let the laws of Scotland be introduced in their place. The question, Sir, is unfortunately a complicated one. In complicated questions it will always happen that there are some particular parts in which gentlemen disagree; there will be parts that some will overlook and others combat; but in every question, however intricate, there are certain essentials in which all who value truth, and act from the honest impulse of their heart, must be unanimous. Most true it is, Sir, that in every country there will be points on which the sentiments of men will be at variance, for it is the nature of men to differ; but justice in every country is the same, and in what relates to her there can be but one opinion. If, therefore, this sentence must in England be considered as notoriously unjust, and repugnant to every principle of humanity, it is impossible for ingenuity to varnish such a system of iniquity, or give to that which on its very face wears the features of cruelty and oppression, the appearance of justice or humanity.

Now, Sir, let us examine a little what the lord advocate has stated with respect to precedent, and on this point I will be bold enough to assert, that except in one case, I mean the statute of bankruptcy, the learned lord has not pointed out a single case which bears on the present motion, or warrants the interpretation he has put on the word banishment. With respect to the act of 1703, it is a limiting act; it uses simply the word banishment. In the statute of 1672 the word banishment is mentioned with additions: so that if gentlemen examine all the statutes which have been made, it must strike the minds of those open to conviction, what the real meaning and the fair and honest interpretation of the word banishment implies. The lord advocate, to vindicate the proceedings on

the trial, and give it at least an air of justice, has treated the word in rather a singular manner, and has endeavoured to prove that it is synonimous with transportation. But let us refer to the last statute quoted, namely, that of 1672, and gentlemen will clearly discover, that wherever it was the intention of the legislature to extend banishment to transportation, the place destined for the culprit's transportation was specifically declared. Hence, in the statute of 1672, we see banishment to the West Indies; if this word extended to transportation, why is the place pointed out in some cases and omitted in others? The reason is obvious: when the law of Scotland only meant simple banishment, that is, exiling a man from his country, it only used the word, and gave him the liberty of chusing a spot for himself; but where the offence called for more severe punishment, the place of transportation was identified. There is one statute, and only one, which makes in favour of the learned lord's argument, and that is but a poor assistance; I mean the statute of 1696. That statute enacts, that banishment, or otherwise, should be the consequence on conviction; now, to argue on the word "otherwise," and make it a ground for a severer punishment than the word banishment, would be contrary to all rules of law, and, in my mind, every principle of English jurisprudence. The precedent of 1704 was made by the privy council of Scotland, the most reprobate and despicable tribunal that ever disgraced the annals of its history; we know this, as well from the circumstances of the case itself, as from what fell from the noble lord on the woolsack last year, who, when this precedent was mentioned, started up and declared, he would pay no attention to any thing which came from that infamous and reprobate tribunal.

I come now to this enormous and gigantic sedition, which has induced the lord advocate to ransack precedents which have laid dormant for two centuries. In the last century he says there are no precedents, though in that period there were two rebellions, and we find the names of a Graham and several others, who were convicted of more atrocious offences, but punished with less severity. But what is this sedition? The learned lord has mentioned the name of Mackenzie, and has misquoted him, in support of his own principles; but this is an authority which I never mention without reluctance and humiliation, (but I am obliged to have recourse to him, as there is no other constitutional writer,) because this very man was the flattering apologist of the tyrannies perpetrated in the latter years of the Stuarts, and which are now attempted to be revived in Scotland. Indeed, Sir, so strikingly disgustful are the whole features of this trial, and so enormous its

proceedings, that when I first heard of them, I could not prevail on myself to believe that such proceedings had actually taken place; the charge itself, and the manner in which that charge was exhibited, made my blood run cold within me. I read the first edition, I discredited; I read the second and third editions; I was inclined to disbelieve them all; nor would I even believe it now, but in consequence of what I have heard from this lord advocate himself. But, if sedition is to be proved by such an evidence as Anne Fischer, evidence which in no civilized country ought to be permitted, there is an end of justice. This infamous evidence, this domestic spy, was even questioned respecting the private and unguarded conversation of her master, and her testimony was allowed, because it was solicited. Good God! Sir, what man amongst us, if our servants and our friends were called to give evidence against our private declarations, would not stand guilty? And which of us would not be liable to transportation? If so tyrannical a law exists, our fortunes, our honours, our lives, are at the disposal of the executive power. But since the lord advocate has introduced a neighbouring country, and has spoken much of the word sedition, I will ask him where he is to find this word sedition? It is not to be found in the common law of England or Scotland; but I will give him a little assistance to help him out of his embarrassment, and will advise him to change this word into *incivism*. Let the lord advocate imitate the example of France; let him convert sedition into incivism; and let him, like the unfeeling and ferocious rulers of that people, doom the suspected to Botany Bay or the guillotine. Let him tell me where I can find a common-law case of sedition in Scotland. The only authority he can produce is Mackenzie, and that is unfavourable to his argument. Let him shew me by what laws of eternal justice such proceedings as have lately taken place in Scotland can be vindicated. It is too much for professional men to expect that we should pay implicit obedience to their doctrines. Does the lord advocate suppose that I will give unlimited confidence to his *ipse dixit?* He is wrong if he imagines we are not equally capable of discussing subjects of legal policy. It is evident from all that has been said, that the legality of the sentences passed upon Messrs. Muir and Palmer is highly questionable.

My honourable and learned friend who opened the debate, has clearly shown, that the pannals were indicted on the statute of leasing-making; we have also clearly seen that the penalties to be inflicted on the convicted, are either banishment, fine, imprisonment, or corporal punishment. The lord advocate has seriously asked the House, if these men were not transported, what would be done with them? Shall I imprison them, said he? Imprisonment is a poor chastisement;

a gaol is only the nest and den of iniquity; there offenders are only taught to revile their judges and jurors, and to meditate new schemes of sedition. Would you impose a fine on them? that would be easily paid by some rich friend leagued in their conspiracies. The humanity of the lord advocate would not suffer him to talk of inflicting corporal punishment on gentlemen of education and respectability. From hence he infers, that the only punishment to be inflicted on them is banishment; but it has been more than sufficiently proved to the House, that banishment cannot extend to transportation, without annexing the name of the place appointed for exile. Sedition has been defined to be public commotion; now, public commotion, by the laws of both countries, is high treason. Had they been indicted for sedition, they must have been convicted of high treason and must have suffered death. On this ground, therefore, the judgment cannot be supported.

Before I proceed any further, I would beg to address a few words to my honourable friend (Mr. Windham). I confess I am astonished to see that gentleman so suddenly change his principles and professions, commencing an alarmist, and affecting to tremble for the safety of his king and constitution. It is disagreeable to recal old and unpleasing truths; yet I cannot help reminding my honourable friend that there was a time, though he had not then a seat in this House, when he took an active and spirited part in opposition to the government, during the unhappy American war. I myself heard him speak not the most respectfully of one of the chief justices. I do not say that he belonged to clubs, but of this I am sure, that he was present at several; he ran about from town to town, conversing with artizans on the rashness and impolicy of the war; and he delivered his sentiments at Norwich and other places in a manner the most decidedly hostile to government. My honourable friend would at that time have thought himself hardly dealt with, if he had been condemned as an enemy to his king and constitution, merely because he was an enemy to the American war.*

Why, Sir, are Mr. Muir and Mr. Palmer to be considered as enemies to the constitution, sowing the seeds of rebellion,

* Mr. Windham's earliest essay as a public speaker was occasioned by a call made on the country, for a subscription in aid of government, to be applied towards carrying on the war with our American colonies. It was on the 28th of January 1778, at a meeting of gentlemen of the county of Norfolk, held at Norwich. A copy of this speech will be found in the Life of Mr. Windham, prefixed by Mr. Amyot to the Collection of his Speeches in Parliament, vol. i. p. 142.

anarchy and confusion for only pointing out to the people those privileges which they should enjoy, and which they are unjustly denied? Sedition is of a generic nature; there are different species of sedition; and there is a species of sedition of which the lord advocate himself has been guilty, with regard to this trial; one fact so glaringly scandalous, that I cannot pass it over in silence. I allude to the conduct shewn with respect to two witnesses upon this trial; one of these, who was incompetent to give evidence was admitted; whilst the other, on the pretext of his credibility being doubted, was rejected. I contend, with respect to Russel, that the credibility of his evidence ought to have been left to the jury, instead of the judge usurping their province; and that with respect to Johnson, there was the greatest partiality apparent. The witnesses were not fairly admitted, and, consequently, Mr. Muir could not have a fair trial. I believe, Sir, the majority of this House are associators; but I entreat them to recollect that they are also representatives; and let me ask, were these associations founded on established law, or were they self-created? If they were not formed by the command of the legislature, no man ought to be censured for not performing a duty which is not legally imposed upon him; consequently, the learned lord must have been hurried by intemperate warmth into an unguarded assertion, when he declared, on Mr. Muir's objecting to one of those gentlemen being on his jury, who belonged to an association which had prejudged him before his trial, that "if this objection was not repelled, Mr. Muir could have no jury at all to try him, but men who were either traitors or conspirators; for that all men really attached to their constitution had subscribed their names to associations of this nature."

But there is one strange assertion made by one of the lords of justiciary. He says, "that no man has a right in the constitution, unless he possesses a landed property; men of personal property, though they may have immense sums in the funds, have no lot or part in the matter." How absurd, how nonsensical, how ridiculous! When judges speak thus with levity, at random, and in a manner that discovers the most profound ignorance of the constitution, what is the inference I would draw? That the temper of the judges is manifest from such conduct, which never occurred even in the reign of the Stuarts. Another learned lord said, that as he saw no punishment for sedition in our law, he must go into the Roman law; and having recourse to this extra-judicial authority, he at last discovered that the mildest punishment that could be inflicted on the unfortunate gentleman was—transportation for fourteen years! The Roman law left it at the

learned lord's discretion to give Mr. Muir either to the gallows! — to wild beasts! — or to Botany Bay; and, of the whole he had happily selected the mildest! He was utterly amazed when he learned that a judge had seriously supported such unaccountable nonsense from the bench — such nonsense as ought not to be suffered from the youngest or most ignorant student. He had always entertained the highest veneration for the character of a judge; and his indignation was roused, to find that the learned lord, instead of discharging his duty with the gravity becoming the bench, had acted with ignorance, levity, and hypocrisy. After having put his invention to the rack, he had at last hit upon the mild punishment, of fourteen years' transportation beyond the seas! Good God! Sir, any man of spirit (and such he believed Mr. Muir to be) would sooner prefer death than this mildest instance of the judge's mercy. But another of these learned lords, or perhaps the same, (for with their names I profess myself totally unacquainted,) asserted, that now the torture was banished, there was no adequate punishment for sedition! Here, Sir, is language which also shews the temper, the ignorance, the levity, the hypocrisy of this imprudent man: let him be either serious or in jest, the sentiment was equally intolerable. I know not which of them advanced such a proposition, but God help the people who have such judges!

I admit, Sir, that the conduct of a lord advocate is less material than that of a judge; but I do not think, that in Great Britain any person should be declared guilty, before he is arraigned and convicted of the offence. Shall we send Muir, Palmer, Skirving, Margarot, and Gerald, to England? said the lord advocate. But here he acts, with respect to Mr. Gerald, as he did towards Mr. Muir, and supposes him guilty, without ever being brought to a trial. The abuse of discretion has been made a topic of debate; but I assert, that when these learned lords are about to exercise discretion, they should look to England, and regulate their conduct by her example. What, Sir, was the case here? A Mr. Winterbottom was convicted, and punished with fine and imprisonment. In the course of his imprisonment, he was placed among the common felons. As soon as the attorney-general of this country was made acquainted with the circumstance, with that humanity which should ever attend his office, he ordered him instantly to be removed; exclaiming at the same time, "God forbid, let his crime be sedition, or what it may, that I should suffer this man to mix with such company, to have his morals corrupted and tainted with their villainy! I will not allow it." But, how different was the conduct of the humane court of justiciary! They send the unjustly-accused

and convicted to herd with the most infamous and abject, and even think this punishment too mild for the offence. I wish gentlemen would speak out — that they would tell us what their notions are of the law of Scotland. Let us, for Heaven's sake, be informed what the opinion of the House really is as to this tyrannical law. Were I to live in Scotland, I should consider my life, my property, and my liberty to be insecure, and should place no confidence in the enjoyment of any of those blessings.

It cannot have escaped gentlemen, that not many years ago, associations were formed in this country, exactly on the same principles that Mr. Muir and his friends formed their associations. Sir, it is precisely for those very offences which were committed by those very associations in England, that Mr. Muir and Mr. Palmer are now condemned to transportation for fourteen years. But it will be said, that the French revolution has changed the nature of the case. It may be so: but I wish never to believe, that what was once meritorious, what was once fit, and what was considered as the only means of preserving the liberties of this country, can all of a sudden have so changed its complexion, can have become so black and atrocious a crime, as to call down on the head of him who so far reveres the constitution of England, as to wish to restore it to its primitive perfection, the unrelenting vengeance of persecution; while those very men, who perhaps sat this fatal example, have fled into the arms of power, as into an asylum, and are now enjoying the emoluments of the highest places this kingdom knows — the wages, perhaps, of their apostacy. Yes, Sir, these unfortunate gentlemen have done, what the right honourable the chancellor of the exchequer, what the Duke of Richmond, have done before them. They have done no more. Can this House forget the addresses of those two personages to the people? and this, not to petition for a reform in parliament, not simply to state the abuses, and to pray for, in the language of suppliants, a redress of those abuses; but to demand, I say demand them as their right. As long as gentlemen shall recollect the Thatched House, and these very associations, it is impossible they can forget their addresses to the people. Oh, human folly and inconsistency! Why are these very men now exalted to the most envied stations, while poor Muir and Palmer are doomed to waste out the remainder of their lives in a foreign climate, the companions of outcasts, felons, the most degraded of the human species! And have we not, at some period or other, all of us called assemblies? Have we not all of us been guilty of crimes which might drive us to Botany Bay? Happy am I to boast, that

however I may disapprove of those violent prosecutions which have been conducted in this country against individuals, on charges of sedition, that these, when compared with the trials now before us, are merciful and humane. Happy am I to boast, that it is my fortune to be a subject and an inhabitant of England. Were I a native of Scotland, I would instantly prepare to leave that land of tyranny and of despotism. Until these infamous laws are abrogated, you may talk of justice, you may talk of juries, but all trials are mockeries. Until these infamous laws are abrogated, the liberty of the subject is insecure and unprotected; and Scotland, like France, is a land of despotism and oppression.

After having bestowed a very warm panegyric on his honourable and learned friend, Mr. Adam, who had that day delivered one of the most excellent and argumentative speeches ever heard within those walls, Mr. Fox concluded by urging, that the present question was of the very first importance, not only to the people of England, but to all civilized society. Until such time, continued he, as there is a law to send me to Botany Bay for publicly avowing my sentiments, I shall think it a duty incumbent upon me to condemn the actions of those in power, whenever they may, as in the present instance, call forth the execration of mankind. If England, unhappily relapsing into despotism, should ever be governed by such principles, then farewell, a long farewell, to our boasted freedom!

The motion was also warmly supported by Mr. Sheridan, Mr. Whitbread, and Mr. Grey, after which the House divided:

	Tellers.			*Tellers.*	
YEAS.	Mr. Grey Mr. Sheridan	32.	NOES	Lord Advocate Mr. Anstruther	171.

So it passed in the negative. Mr. Adam's speech on introducing his motion was, by all parties, deemed one of the first that had ever been delivered upon a subject of law within that House.

GENERAL FITZPATRICK'S MOTION RELATIVE TO THE DETENTION OF M. DE LA FAYETTE.

March 17.

THE melancholy situation of General La Fayette, who, since his flight and capture on neutral ground, had been groaning in the dungeons of Magdebourg, exciting the compassion of many respectable persons, General Fitzpatrick called the attention of

the House of Commons to the subject, by this day moving, "That an humble address be presented to his majesty, to represent to his majesty, that the detention of the General La Fayette, Messieurs Alexander Lameth, La Tour Maubourg, and Bureau de Pusy, in the prisons of his majesty's ally the King of Prussia, is highly injurious to the cause of his majesty and his allies; and most humbly to beseech his majesty to intercede with the court of Berlin, in such manner as to his royal wisdom shall seem most proper for the deliverance of these unfortunate persons." General Fitzpatrick in the course of a most able speech, insisted, that La Fayette had suffered for his attachment to the constitutional monarchy which we now professedly wished to restore, and enlarged on the merits and services of that unfortunate person, as far overbalancing any errors with which he might be chargeable. After the motion had been seconded by General Tarleton, Mr. Pitt opposed it as equally improper and unnecessary. He denied that La Fayette's conduct was ever friendly to the genuine cause of liberty, and affirmed, that the interference required would be setting up ourselves as guardians of the consciences and characters of foreign states.

Mr. Fox said, that the right honourable the chancellor of the exchequer, perceiving the difficulty of answering the particular arguments of a speech on which he had justly bestowed the praise of great ability, had deemed it wise to oppose the motion on as general grounds as possible. The speech of his honourable friend had not been more distinguished for ability and eloquence, than for truth and solidity of argument. If ever there existed a man who, in a great and hazardous situation, amidst the conflict of opinions carried on either side to extremes, could claim the merit of having steered a temperate and middle course, uninfluenced by the violence of the moment, and directed by preconceived opinions, that man was M. La Fayette. In consequence of the treatment which he and his fellow prisoners had been made to suffer, and the pretext well known to have been alleged for continuing that treatment, namely, that they were the prisoners of the allied powers, not to interfere in their behalf, was to suffer this country to be implicated in the odium, and handed down to posterity as the accomplice of the diabolical cruelty of the Prussian cabinet. If in any point his honourable friend who made the present motion had failed, it was in not painting this cruelty in colours sufficiently strong. How were these unfortunate gentlemen confined? In separate apartments, that they might not enjoy the melancholy consolation of communicating their sorrows to one another—in dungeons sunk under ground, where the only apertures to which they could turn for air, presented to their view a court where other prisoners were almost daily suffering the various punishments

to which, he would not call it law, but arbitrary will, had condemned them. This he affirmed on information that could not be doubted, to have been their situation at Magdebourg. Yet even this condition was capable of being aggravated. Though debarred from communication with one another, they had some satisfaction in knowing they were all within the walls of the same prison. Two of them were, therefore, left at Magdebourg, and two removed to other places. So severely was this felt, that M. La Fayette implored it as a boon of the King of Prussia, that M. Latour Maubourg might remain in the same prison with him; and this boon, small as it must appear, was denied him.

But it was asked, what were we to do in such a case? He maintained that the customs of civilized nations presented no obstacle to our interposition. In the case of Sir Charles Asgill, private applications were made from this country to a court with which we were then at war. The good offices of the Queen of France were solicited; they were granted, and proved effectual. America, the ally of France, yielded to an interposition in behalf of humanity; and what prevented his majesty from using his good offices with an ally in the cause of humanity also? But if no such instance were to be found, the nature of the war in which we were engaged, and the particular situation in which they were placed might require, and would therefore justify a new mode of proceeding. Had not the King of Prussia declared that M. La Fayette was the prisoner of the powers combined against France, and that he and his friends could not be released but by the general consent of those powers? Did his majesty's ministers not believe that this declaration had been made by the King of Prussia himself and by his ministers, to various persons both publicly and privately? In answer to this it was said, that we were not engaged in the confederacy against France at the time when those unfortunate gentlemen were made prisoners. By this declaration, however, of the King of Prussia, from which we were not excepted, part of the odium was thrown upon us; and there was no way for the combined powers to clear themselves from it but by each of them in particular declaring that they disavowed the whole proceeding. The ministers had, indeed, said that they were not parties to it; but this was not enough, there ought to be an authentic declaration by the king, to which every Englishman might refer, in any part of the world, and clear the character of his country from so foul a reproach.

If the national honour demanded this, it was equally called for by policy. We had offered friendship and protection to all the well-disposed French, who should declare in favour

of monarchy; and to the people of Toulon we had granted that protection as far as we were able, on condition of their declaring for monarchy, as limited by the consitution of 1789. The right honourable the chancellor of the exchequer had denied that La Fayette was in the same situation with those to whom friendship and protection had been offered; but, by every fair and candid inference, he most clearly was in that situation. If we had promised, and actually given protection to those who declared for the constitution of 1789, must it not follow in the mind of every man, not a caviller, that the persons who had supported that constitution, at the hazard of all that was dear to them, were to be protected also? If M. La Fayette, instead of being in a Prussian dungeon, had been, like many others, concealed in France, and had come forward on the proclamations at Toulon, to accept of the offers there held out, could we then have refused him protection? If he had even been in a French prison, within the reach of our force at Toulon, and had solicited his release, could we have refused attempting to release him, even at some risk, supposing the attempt to have been consistent with military prudence? In the name of common sense, then, why refuse now to make an easier and safer effort in his favour? All the general reasons alleged against it, admitting them to their full extent, ought to yield to the strong claim of humanity. These reasons must necessarily rest on the general policy with respect to the war; and of that could there be a doubt? Had not the imprisonment of La Fayette and his friends prevented many from joining the standard of royalty which we wished to rear in France? It was improper to mention names; but he knew many, and ministers he was sure must know many more. Without entering into detail, the very reason of the thing must shew, that when Frenchmen were balancing in their minds, between declaring for the allies, or joining the ruling party, the fate of La Fayette must decide their choice. Did ministers any longer entertain the hope of conquering France, or establishing any form of government in it, but by the assistance of Frenchmen? He knew the professions they held out to Frenchmen, namely, that all who repaired to the standard of monarchy were to be protected, and that monarchy being once re-established, they were to be left to temper it with such modifications as they should think fit. Of all the forms of monarchical government, did they mean to proscribe exclusively that of 1789? If they did, why had they not said so? Why had they given ground for believing the contrary? Frenchmen in this case must suppose, either that our declarations were all as faithless as those of the King of Prussia and the Prince of Saxe

Cobourg, or that our allies thought differently from us; that all the supporters of limited monarchy were to be proscribed, and the advocates of unlimited monarchy only protected. Was this latter form of government now so popular in France that any considerable party could be formed for it? Ministers knew that wherever they had found the means of communication with the people now remaining in France, the old system of government was an object of abhorrence, and that even after Lord Hood was in possession of Toulon, and Louis XVII. proclaimed, it was with great difficulty that the people were prevailed upon to lay aside their national cockades, and to substitute the white for the three-coloured flag. The imprisonment of M. La Fayette and his friends was, therefore, injurious to the success of the war in which we were engaged; and, as parties in that war, we had as indisputable a right to advise our allies respecting every thing that tended to promote or impede the common cause, as to consult with them on the conduct and plan of military operations. In this point of view the case of M. La Fayette could not be regarded with indifference, and we were justified on every principle by which the intercourse of independent nations was regulated in the application now proposed.

The mode in which M. La Fayette and his friends were taken was neither more nor less than treachery, and formed, it must be confessed, a very fit prelude to the cruelty they had since experienced. With their attendants they were a company of about forty persons. On neutral territory, they met an Austrian patrole of three or four men, too few to make them prisoners by force. They declared who they were, received an assurance that they should be permitted to continue their journey, and suffered themselves to be conducted to an Austrian post, from which they were transferred to a Prussian dungeon. If it was said that they were taken as prisoners of war, they were all equally prisoners of war, and ought to have been treated as such. Had they been so considered? No; all of them except four had been released, and this not by any distinction founded on military rank, those only being detained who had been members of the national assembly. The rules of civilized nations allowed their parole to prisoners of war; but the Prussian ministers, feeling the degradation into which they had brought themselves in the eyes of Europe, never pretended that they were prisoners of war, but called them prisoners of state. On what law of nations could the subjects of one independent nation be made prisoners of state by the sovereign of another, for offences committed, or supposed to be committed, in their own country? On no law but the law of tyrants, which

contemns all principles, human and divine; law directed only by the will of man, which, when adopted as a rule of action, too surely degenerated into tyranny. The Bishop of Liege, on whose territory they were stopped, had, it was said, a right to claim them by the law of nations. They who said so knew that the Bishop of Liege, though he had the right, had not the power, and therefore it was so much the more incumbent upon us to interfere.

If any man thought the imprisonment of these unfortunate gentlemen no injury to the common cause of the allies, that it was not a stain on the national character, or that it was likely to gain us converts among the French, he might vote against the motion. Those who considered it to be the reverse of all this, must give it their support. Unless it were said that ministers had already applied to the court of Prussia, or meant to apply, he could see no reason for postponing the motion. The three gentlemen included in the motion with M. La Fayette, had all supported the limited monarchy. Of a man so well known as Alexander Lameth, it was unnecessary to speak; M. Latour Maubourg, on the return of the royal family from Varennes, had so conducted himself towards them as to be mentioned with particular expressions of gratitude; and M. De Pusy was known to be so acceptable to Louis XVI. that he was always selected as the person to communicate with him on all matters relative to the most proper mode of adjusting the government. The House was now to decide whether or not they approved of the imprisonment of such men.

There was one circumstance, Mr. Fox said, which he was aware had hurt M. de la Fayette in the public opinion. He had been accused of having instigated the royal family to escape, of having been privy to their flight, and having afterwards betrayed them, and caused them to be arrested at Varennes. If this circumstance were founded in fact, most certainly no odium could be too great, no obloquy could attach a sufficiently just reprehension for so horrible a piece of duplicity; but the proof of his innocence was so incontrovertible, so positive and direct, that the mere mention of it must clear him entirely from so foul a calumny. The witness of his innocence was the unfortunate Marie Antoinette, who, when upon her trial, and when she knew her own fate to be inevitable, being asked whether Fayette had connived at their escape, had answered positively, that he was totally ignorant of it. If his majesty's ministers had done any thing on the subject, then they would only have to consider whether what was done were rightly done; if they meant to interfere, then it would be proper to wait; but if neither of these was

the case, it behoved that House to consider whether they were not called on to consult their own feelings, and endeavour, by an honourable interference, to promote the success of that cause which they professed to support. Upon these grounds he should support the motion of his honourable friend.

The motion was also supported by Mr. Grey, Mr. Whitbread, Mr. W. Smith, Mr. R. Thornton, Mr. Martin, Mr. Stanley, and Mr. Courtenay; and opposed by Mr. Burke, Mr. Ryder, the solicitor-general, and Mr. Jenkinson. On a division the numbers were:

	Tellers.			*Tellers.*	
YEAS	General Fitzpatrick Colonel Tarleton	46.	NOES	Mr. Jenkinson Mr. J. Smith	153.

So it passed in the negative.

MR. ADAM'S MOTION FOR A COMMITTEE TO CONSIDER OF THE CRIMINAL LAW OF SCOTLAND.

March 25.

MR. ADAM, still persisting in his determination to introduce, if possible, some regulations into the Scottish courts of justiciary, that would be more favourable than the present to the liberty of the subject, and to a milder administration of justice, moved, this day, "That a committee be appointed to take into consideration so much of the criminal law of Scotland as relates to the crime of leasing-making; the crime of sedition; the right of appeal from the supreme criminal courts in Scotland; the right of convicted persons to a new trial; the law as it regards the competency and credibility of witnesses, particularly in answering the preliminary questions; the law respecting the admissibility of evidence under the allegation of art and part; the mode of returning and chusing the common jury; the legal grounds of objection to jurymen; the power of the lord advocate as public prosecutor; the propriety of introducing a grand jury for the purpose of finding bills of indictment, and making presentments in criminal cases; the power of the court in punishing contempts of court; the power of the sheriffs, and other magistrates, in taking precognitions, or informations for the commitment and trial of persons accused; the power of courts of inferior jurisdiction in criminal matters to try crimes without the intervention of a jury; and to report the same, with their opinion thereupon, to the House." After the motion had been ably supported by Mr. Serjeant Adair, and opposed by the master of the rolls, the

lord advocate of Scotland, and Mr. Secretary Dundas, who contended that the Scottish nation were very happy under their own laws, and that the alterations proposed would be a violation of the articles of the union,

Mr. Fox rose and said: Sir, I have often been surprised at doctrines advanced in this House; I have often prepared myself not to be astonished at any desertion of former principles; I have often had my understanding perplexed and confused; but never did I find myself so much at a loss as on the present occasion. The learned lord advocate commenced and concluded his speech with reproaching my learned friend who sits near me, (Mr. Serjeant Adair,) with misquoting and mistaking the law of Scotland; but after preparing to expose my learned friend's ignorance, after increasing our expectations, he did nothing more than repeat, but in a louder tone, what had fallen from my learned friend, and what had been asserted by both the gentlemen who spoke so ably in support of this motion. I really, Sir, supposed that I did not hear the lord advocate, or that I misunderstood him. My learned friend, speaking of the construction of petty juries in Scotland, said, that from the forty-five chosen to try the cause, fifteen were struck by the court. Now what statement can be more alarming to justice, what more dangerous to the liberty of the prisoner? But when the lord advocate comes to speak on the same subject, notwithstanding his surprise at the ignorance of my learned friend, he uses the very same words, and says, that after the forty-five were given in to the court, the judges selected fifteen; not as in England, by taking the first twelve that came, or on special juries, by ballot, but by selecting number one, two, or any other number as best suited his purpose; and the manner in which the first list was made out by an inferior officer of the court, only served as an additional cause for alarm, because it rendered packed juries more easily obtained; for certainly the power of the judge to select such as he pleased from the number, was tantamount to a packed jury. If the lord advocate intended that we should believe my learned friend had mis-stated the matter, he should have framed some argument, either to shew that the jury was not packed, or that there was no danger of such an event taking place.

With respect to the power of the lord advocate, he can create prosecutions. I collect from the learned lord, that if the guilt of any person is made out, the court will order the prosecution to be commenced; but this is only with respect to public crimes, in which the lord advocate may commence or discontinue any prosecution. But he has

treated the argument of the able mover with great unfairness: he has said, that my learned friend wishes to introduce the whole of the criminal law of England into his country, and on the impropriety of this measure he has dwelt for a considerable time: he should recollect, that my honourable friend was not speaking of felony or larceny, but of public crimes against the state; and that it was only the criminal law which related to those crimes, that he wished to introduce. In that sense I am certain the House understood him. Did my honourable and learned friend mean any thing else, much as I admire his talents, and much as I might respect his intention, I certainly could not coincide with him. In many respects I revere the criminal law of England; but it would be after serious reflection, and unprejudiced consideration, that I would consent to extend it, with all its penal statutes, to any country; because there are several of those statutes, that contain provisions, of which I can by no means approve. My honourable and learned friend meant only to introduce the criminal law which relates to sedition; and in his examination into the law of Scotland, with a view to its alteration, he does not assert that he would change it generally, but particularly, and only as far as relates to leasing-making, and the other points enumerated in the question.

The lord advocate has spoken of the act of union. He says, that by this act we are prevented from making any change in the jurisprudence of Scotland; but he ought to have recollected, that the emphatic words of that act not only declare what the law is, but that the criminal law of Scotland may be altered by the parliament of Great Britain, when in its wisdom it should be deemed expedient and requisite for the public good. He has mentioned the different laws which support his assertion; the learned lord, however, says, that we should not proceed to make any alteration, until it come recommended from the throne, as had been the case in respect to the law of treason. Indeed, Sir, we have lately heard such strange things advanced of our constitution, we have seen it receive so many wounds, that we ought not to be astonished at this suggestion. Does the learned lord mean, that we are to wait until ministers come down to this House to complain, that the prerogative of the crown is exerted too strenuously against the privileges of the people, that they who oppose their measures are punished too severely, and that the law ought to be made more lenient? I cannot understand what the learned lord intends by this idle assertion, which means nothing; and that it does mean nothing, is the best construction that can be put upon it. The next case the learned lord said, had proceeded after a previous inquiry

between the House of Lords and the court of justiciary. I have as high an esteem for the House of Lords, in their judicial capacity, as any person can possibly have, but I cannot allow them any exclusive right to legislate, nor that any such alteration of the law ought to originate with them; for in their legislative capacity *pro tanto* the House of Commons is in every degree equal. Indeed, the learned lord saw the folly of this argument, for he was obliged to own that the bill was rejected in the first instance, and came from the Commons at last: but, then, he said it was carried through by the attorney and solicitor general; this might appear to the learned lord very proper; but I trust we have not yet forgotten all sorts of equality so much as to sanction a measure because it comes from this or that lord in one house, or from the attorney and solicitor general, or any member in the other. We all have the same trust reposed in us by our constituents, and our duty being the same, so is the degree of respect to be paid to us. This question, I contend, should be treated as a practical one. But, Sir, there may be some members in this House, and I have reason to think there are, who were not present during the late discussions: there may be some, who, attending cursorily, and hearing the debate relating to Mr. Muir and Mr. Palmer, and the one of this night, may conclude that the proceedings adopted with respect to these gentlemen were legal; but I persist in contending that this was by no means the case. These are the first punishments inflicted on such crimes. It is true, they argue on the other side, that they are legal. They argue from analogy; they admit (for obliged they are to do so), that in the sixteenth century no such punishments were inflicted on conviction of such offences; they can consequently find no precedents to bear them out on this occasion. In vain they searched; no industry, no trouble was spared. Certainly the lord advocate would have availed himself of it, could any such be found. But, Sir, the right honourable secretary asserts, that the people of Scotland enjoy practical happiness. When did they attain this desirable situation? Let him point out the date, and name the period. Was it under the reign of Mary, or the two first Stuarts? Was it at the union of the two crowns, in the reign of Charles the Second, or of his brother James? If there has been any period at which happiness has been enjoyed in that country, it must be since the union or revolution: but these crimes were never punished with such dreadful severity till within the last eighteen months; and no precedent can warrant that severity, except the infamous and abominable precedent of 1704. The right honourable secretary says he likes the criminal law of Eng-

land, but that of Scotland better; he will not therefore consent to alter it; and he doubts whether it can be altered. Has it not, Sir, been altered by parliament since the union? Did we not change it with respect to treason in 1708? Yet, in the reign of Queen Anne, when we did change it, we were not considered guilty of a breach of faith.

But, Sir, does not every circumstance of the late proceedings dictate the propriety, nay more, the necessity, of going into an inquiry? What was advanced by one of the judges of the court of justiciary on a late occasion? "New crimes," said the judge, "arise from the new state of things; and courts, not legislatures, are to find new and adequate punishments." From the time of the union down to the present, no such punishment is found. The circumstances of the country are new; the lord advocate is puzzled; he finds no precedent for a century; he looks for the law; and where does he endeavour to find it? Not subsequently to the union; no, but beyond the union of the two crowns; and not finding it any where, he has recourse to ingenuity; he reasons from analogy, and finds he may transport these culprits to Botany Bay! This, Sir, is a new case; for which there is no punishment prescribed by statute, no precedent to support it, nothing which can warrant it, but an argument from analogy. For my part, I think the new method of punishment in Scotland as dangerous as the old method in England is adequate. What then is it we say to you? We tell you, "We live in a country not totally exempt from the crime of sedition, though we allow there never was less of it than since the accession of the House of Hanover; we, who are well acquainted with the crime, are able to judge what is the punishment suited to the offence: we know that, in point of fact, the punishment inflicted in this country is so adequate, that sedition was never less complained of. We have practice in our favour: you are totally ignorant of the crime, and equally ignorant of the punishment suited to the crime; you may have had more confusion in your country for the last century than we; but we think a few libels, and one or two mobs, better than two rebellions; this crime to you is new, to us it is old; we tell you your new remedy is dangerous; our old one we find adequate; we therefore wish to recommend it."

But, while we are kindly interfering, while we are offering our friendly advice, we are told that we are speculatists, that we are no judges, and incapable of dictating what ought to be your conduct. When we offer part of the criminal law of England, and tell you that imprisonment is the punishment suited to the offence, you return for answer, that imprisonment for many years is worse than transportation. This, Sir,

I deny. Imprisonment cannot be compared with transportation for fourteen or even seven years. But what is the case in this country? The punishment in few cases of libel has exceeded two years; the longest I ever heard of (the case of Lord George Gordon) was five years; and that, Sir, give me leave to say, was not a proceeding which reflected the highest honour on the country. But for a misdemeanour, I know a single instance of seven years' imprisonment having been inflicted. Does any one think seven years' imprisonment is equal to the offence of sedition? Indeed, Sir, when I heard of this severe punishment being inflicted on a man in this country, and when I saw it connected with the name of the judge, for whom I have a personal esteem, (being no other than my learned friend, when recorder of London,) I inquired what crime the prisoner could have committed; but found he was convicted of an offence little short of murder, and that the misdemeanour was aggravated by several other shocking offences. Surely, the crime of sedition does not require a greater punishment than that which our constitution inflicts on those convicted of the most heinous offences! The learned lord has gone into clergyable offences; but, Sir, arguing about felonies has nothing to do with the present question; this constitution could not have been preserved, if we did not observe a greater jealousy with regard to state crimes than any other. I cannot suppose there exists a desire in judges and ministers to press excessive punishment in cases of petty larceny, or other small offences; but I can well imagine that punishment may be pressed against those who oppose their measures, or are obnoxious to their schemes; the jealousy should be greater where we have any reason to fear that men high in power may be actuated by improper motives. Treason is the same in both countries; nor can I see any sort of difference with regard to sedition; it is not more local than treason, and is equally directed against the King of Great Britain, in whatever part of the kingdom committed; the punishment, therefore, ought to be the same on both sides the Tweed.

But, suppose sedition to be an English crime, and that an Englishman in Scotland were to publish a libel against the government of this country, he must by the laws of Scotland be tried upon principles totally different from English. How absurd! An English crime ought to be tried by English laws, and on English principles. I confess, I feel, Sir, the importance of this question; I feel that the House has the greatest interest in the motion of this night. Considering the question merely as it relates to sedition, there is ample ground for going into an inquiry: we should know what it is; that we may not comment upon, speak about, write of, or venture to pro-

pose reforms in Scotland. If in England I am accused of sedition, it is not the general crime which is laid to my charge; there is some specific act stated: supposing even the act I am accused of proved, and that I am found guilty, if it does not appear a crime in the eye of the law, I still shall be relieved. But what is the case in Scotland? The general crime is stated in the indictment: I have seen the general crime, the major proposition of the syllogism, in the case of Mr. Gerald: but the lord advocate treats with levity the idea of packing juries; and he tells us with triumph, that in all the late proceedings the juries were unanimous. What does this argument prove? Nothing. It is true they might all be unanimous, but surely they might still have been all collected under the eye of the officer, and direction of the court. Good God, Sir, however I may disagree with many of my friends on other topics, will they not all agree with me in this? Will they not all see its danger in the same view that I do? Will they not all coincide with me in declaring, that no man is safe, no man's liberty secure, if he can be charged generally on the crime of sedition?

I am taking the late proceedings, for argument's sake, to be strictly consonant to law; though God forbid I should ever be inclined to think them so; yet is there not something, with respect to the evidence in those cases, which calls for your interference? The House will recollect the evidence of Anne Fischer, that infamous witness, that domestic spy, whose testimony I cannot think of without shuddering at it; yet she, and other such witnesses, were produced as to the general charge of sedition. Do I stand, Sir, in a British House of Commons? Which of us is safe, if charged on the general ground? If every action is to be examined, if evidences from different quarters are to be collected to prove different charges, without any specific act being stated in the indictment, I appeal to every man who hears me, whether there can be any liberty in the country where such practices are allowed? Which of us can be comfortable in our minds, if such doctrines are countenanced? Let us set free our countrymen in the other part of the island. Let us go into the committee; let us both legislate and declare. The people of Scotland have a right to expect both; and I hope, when the House shall be more accurately acquainted with the proceedings, to see the sentence condemned, the mode of conducting these trials censured, and the production of that most infamous witness Anne Fischer both reprobated and regarded with disgust. What, Sir, is not a man to say out of doors what has been advanced within the walls of this House? Is a man to be punished with transportation for advancing political senti-

ments, which, if declared here, would be taken no notice of? Has no one in this country a right to think or speak on political questions but members of parliament? Indeed, Sir, if general sedition is allowed as a charge, and such witnesses as Anne Fischer are produced to maintain and support it, I can easily conceive the danger of delivering sentiments freely in any place. I recollect that, when I was a boy, attending the debates in the gallery of this House, a sentiment fell from the late Earl of Chatham, which warmed and filled my breast with admiration; and which did him more honour in my eyes, than many things that have since been related of him. The American war was then extremely popular, and a member having asserted that there was a rebellion in America, "I rejoice," said this great man, "that America has resisted: I rejoice that she has shewn that symptom of British spirit and British blood in her veins; and I hope it will flow unimpaired to her descendants, till they have accomplished all they merit*." This raised him high in my estimation; this splendid sentiment he never after denied; for though he left this House, it is well known what he uniformly advised in another. If this great man had been in Scotland at that time, and ministers had had the opportunity of prosecuting these words before the court of justiciary, his sentence would have been transportation: or perhaps this punishment would not have been sufficient; if one of those judges who lately presided, had then the direction, the torture might have been introduced as alone adequate.

But, Sir, allow me to say a few words in answer to a challenge thrown out by the right honourable secretary. Does he mean to say that, intrusted as he is with a great employment in this country, and enabled consequently to know the extent and application of the criminal laws of Scotland, he thinks those laws inadequate? Why then, Sir, reflecting on his situation, and seeing all the trusts that are reposed in him, does he suffer crimes to be inadequately punished? Will he, forgetful of his situation, sit supine, and leave them unpunished? Or, will he act the more manly part, and say, I cannot see crimes punished in so inadequate a manner, without attempting to alter the laws? Which will he do? Will he prefer the latter? If he do, I give him credit for his courage, and his consistency, absurd and eccentric as the idea of increasing the punishment is: if he do not alter them, I cannot give him

* The speech to which Mr. Fox here refers, was the last the Earl of Chatham ever made in the House of Commons. It took place on the 14th of January 1766. See New Parl. Hist. Vol. xvi. p. 104.

credit either for courage or consistency: if he attempts to alter them, I then give him credit for his courage; for others have been very severely punished for less dangerous attempts. But this assertion of the right honourable secretary, that the laws are inadequate, is not an assertion which has accidentally escaped in the warmth of debate; it must have been an expression carefully considered, and minutely examined; it has been ruminated over for four or five days; nor, Sir, ought it to be received with indifference: his official situation makes every thing which comes from the right honourable gentleman of importance. The right honourable gentleman does not say he advances this, because he is dared to it. I would nevertheless advise him to beware how he meddles with the liberties of Englishmen, and consider well before he increases punishment. Let him not think our laws inadequate until he shall have made some motion to that purport, and has ascertained whether this House thinks with him on that point. I am fully satisfied that something ought immediately to be done to correct this abuse of law in Scotland, and to put an end to the tyranny practised under the pretext of administering justice in that part of the kingdom.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Whitbread Mr. Hussey	24.	NOES	Lord Advocate Mr. Attorney Gen.	77.

So it passed in the negative.

VOLUNTARY AIDS FOR PUBLIC PURPOSES WITHOUT THE CONSENT OF PARLIAMENT.

March 17.

THE ministers having issued a requisition under the name of a recommendation, for the raising of volunteer companies of horse and foot, in order to preserve internal peace, and suppress domestic insurrections, and to aid the military, if necessary, against an invading enemy, the subject was mentioned in the House of Commons on the 17th of March, by Mr. Baker, who objected to the measure as an irregular one. Parliament, he said, was the only legal organ of the country, through which the people should consent to assist the carrying on of any measure to be paid for out of the public purse.

Mr. Fox said, that the measure said to be going through the country, by way of a recommendation from his majesty to the people, to stand forth and assist the executive government with voluntary subscriptions, he had held often, held now, and was likely to hold, to be entirely illegal, and a measure the most dangerous to the constitution of this country. If the object was to legalize that practice, he was perfectly sure that there should have been a bill for that purpose. A bill must pass to authorise the application of such money, even after it was raised, otherwise not one shilling of it could be legally applied. This opinion he had frequently given during the American war, and all he had ever heard upon the subject had not, in the most distant degree, tended to alter that opinion. Having said this, he must now confess, that with respect to facts upon the present case, he was without information: he spoke in that respect entirely from rumour. What had been sent to the lords lieutenants of the counties, and what their answers might be, he knew not; but, supposing the message alluded to, of a recommendation for the opening of a general subscription, to have been sent, he had no doubt that acquiescing in such a message, and applying such money without an act of parliament, was not only illegal, but highly dangerous. Whenever the subject came forward, he should be ready to argue it on the points he had just mentioned; and he hoped that the House would not proceed on doubtful points without first removing all difficulties that stood in the way of the regularity of the proceedings.

March 24.

Mr. Sheridan having moved an address to the king for a communication of all the papers relating to this subject,

Mr. Fox said, he could not let that opportunity slip of declaring his opinion on the subject to be the same with the minority of that House, and with the House of Lords in the year 1778, on the illegality of these subscriptions in any case whatever. The whole defence on that occasion was, that those contributions were purely voluntary and *bonâ fide* spontaneous, that there had not been a hint on the subject from the crown, or from any of his majesty's servants, and that there was nothing that could be construed into an application in the most remote manner. But in this case, there had been a direct application from the king's secretary of state officially; and it was a maxim universally maintained, that when he wrote a letter of that kind, though he did not say, "I am com-

manded by his majesty," &c. it did imply a command, and that he was acting in obedience to such a command. He was, therefore, clearly to understand, that the king had sent his mandate to different parts of the country, to ask, without the consent of parliament, who would, and who would not, contribute what was necessary for the defence of the country. He hoped they should soon have an opportunity of discussing the business at length. There was something in the advertisement, as if those who did not chuse to obey the call of the lord lieutenant to these meetings, were not well affected to the king and his government. Parliament was now actually sitting, and the representatives of the people of England had come there expressly to consider, whether they would or would not comply with the request of his majesty; and yet his majesty, by his secretary of state, was now levying money on his subjects without the intervention of that House, when the constitution had, over and over again, declared, that money should not be given to the king by the people of England through any other channel than that of their representatives in parliament.

March 28.

This day Mr. Sheridan again called the attention of the House to the subject, and concluded an able and eloquent speech with moving, "That it is a dangerous and unconstitutional measure for the executive government to solicit money from the people as a private aid, loan, benevolence, or subscription, for public purposes, without the consent of parliament." Mr. Sheridan was answered by the attorney-general, who justified the conduct of ministers, as agreeable to precedents and constitutional authorities. He cited the letters written by the Earl of Shelbourne, while in office, to the lieutenants of counties, in 1782, as a case precisely similar to the present; and mentioned the raising of companies by private subjects, at their own expence on other occasions, in much the same light. He concluded by moving the previous question. Mr. Powys said that the safety of the country, in the present contest, called for the most active exertions, though he could not altogether approve of the measure in the manner it had been adopted. He thought it best, however, to get rid of the motion, and should therefore vote for the previous question.

Mr. Fox said, that he had attended to the present debate with a considerable degree of curiosity, as he understood, from what had dropped from the right honourable the chancellor of the exchequer on a former night, that the charge of political inconsistency was to be brought against him. Two points had puzzled him considerably; the first was, who was

to make the charge; the next, what the charge was to be. He could not expect it from the honourable gentleman who was alarmed at the danger of Hessian troops being sent to Gibraltar, but saw not the smallest ground for apprehension from their introduction into this country; nor from the right honourable gentleman on the other side, who commenced his political career as the firm and unalterable advocate of parliamentary reform, but who had since not only abandoned that cause, but had been its strenuous opposer in whatever shape it had appeared. I recollected, said Mr. Fox, the vulgar adage, that he whose house is made of glass, ought not to throw stones; and likewise that most excellent maxim of a most excellent book, "Let him that is innocent, throw the first stone." I was pretty certain, therefore, that this charge of inconsistency must come from some young member, as a young member would be the least liable to have the charge of inconsistency retorted upon him. The contest for some time upon whom this duty should fall, seemed to lay between a young member, (Mr. Jenkinson,) and the learned gentleman who made it, and who, though not a young member, is young in respect of the transactions of which he has taken upon himself to speak. From a young member of parliament I expected perfect consistency, especially from a member who had undertaken the charge of inconsistency against another. But the honourable gentleman who seconded and supported the motion made by the learned member, is not so young a member; he well recollects the circumstances which took place in the year 1782; and if that honourable gentleman saw any thing censurable in the conduct of that day, why did he not fully and fairly condemn the measure? Did he do any such thing? So far from it, he was perfectly silent on the subject; he either saw nothing that could be condemned, or thought it too trifling for censure. Certain I am that, in Lord Shelburne's letter, he will not find the most distant allusion to any subscription. It was a circumstance that never entered the minds of any of those gentlemen who composed the administration of 1782. They had no idea of the kind; and if any person had intimated that my Lord Shelburne's letter had suggested such an idea abroad, it would have been matter of great surprize indeed.

The learned gentleman has asserted, that he who asks for money's worth, asks money. With this principle, in its full extent, I can by no means concur; if so, the impress of sailors is a mode which the king possesses of raising a supply independent of his parliament. It is a distinct prerogative vested in the crown, arising from peculiar circumstances, and peculiar necessity, with which the other has not the most remote

connection. My Lord Shelburne's letter was not a solicitation, it was not a request, nor even a hint at any contribution or subscription; and if any such were entered into in consequence of that letter, they must have been of so trivial a nature as not to have made any impression upon my memory. This letter had merely for its object to take the advice of the people at large, with respect to arming for the defence of the country. It was not intended to take the people from their several employments: he who pursued agriculture was not required to abandon his plough, nor the artizan the implements of his trade; all that was wished for was, that they should give up a few hours of their time to acquire some little knowledge of the use of arms, in order to render them in some measure capable of defence, and to prepare them against any danger that might threaten them. It has been urged, that the measure in 1782 differed not from that which I opposed in 1778, supported by my Lord Camden and Lord Ashburton. I had, in the year 1782, the honour to be of his majesty's cabinet council, consisting at that time of eleven members, ten of whom had opposed the subscription of 1778. Was it likely that we should, directly after our entering into the ministry, adopt those principles in 1782, which we had with such firmness opposed in 1778? Lord Camden and Lord Ashburton, men well acquainted with the law and the constitution, were at that time in the cabinet. The Marquis of Rockingham, though no lawyer, was a man who understood the constitution, and his greatest enemies will allow, that he possessed firmness and consistency, that he had not that versatility of character that could make him act on principles when in administration opposite to those which he avowed when in opposition. It seems rather extraordinary, that now after a period of twelve years has elapsed, an attempt should be made to convict me of inconsistency, which at the time of the transaction was never thought of. Would it not be natural, if any objection were made to the measure adopted in 1782, to have stated, you are now acting upon the identical principles which you opposed in 1778? Was any such objection started? No, Sir, the objections were of a very different description. The danger of becoming an armed nation, like Ireland, was strongly urged, and the injuries that had been committed by the volunteers of that kingdom, who, in my opinion, far from injuring their country, rendered it great and essential services. I have, Sir, consulted the record of the debates of that day, the parliamentary register, which, though not in every instance the most indisputable authority, certainly gives the general line of argument, and the great principles advanced. In them I can find nothing to brand

me with the charge of inconsistency. On the contrary, I find directly the reverse, and that the expressions which I then employed exactly correspond with the principles which I at present maintain. The learned gentleman says, that I did not oppose the giving ships, and other private aids. He mentioned the offer of a 74-gun-ship from the Earl of Lonsdale, the name of which is not to be found in the list of the navy of Great Britain; and other ships from the East India company. These measures I did oppose, and that in my speech at the opening of that session. I opposed and censured them, because I looked upon every gift of that nature as an injury to the constitution. In arguing the question of law, the learned gentleman began with the latest precedents, from a hope, I suppose, that, after a legal manner, he could make the matter appear more clearly, but he seems to have been disappointed in his hopes; surely the learned gentleman must have quibbled away his senses in the pursuits of his profession, or he could never have argued this point in the manner he has done. The precedent of 1782 he has contended to be similar to the present, and also to that of 1778. I shall here take the liberty of quoting the authority of a right honourable gentleman, (Mr. Burke,) whose abilities all must confess and admire, and whom for many years I had the happiness to call my friend: his opinion is clear and decided upon this head, in favour of the doctrine which I support. The learned gentleman contended, that the ground of argument used by Lord Ashburton and Lord Camden, in the year 1778, turned entirely on those contributions being left at the disposal of his majesty. I remember the arguments of Lord Ashburton well: he confined himself to no such narrow system; he took the broad and general ground of objection to contributions in any shape. I remember, too, the arguments of Lord Thurlow, who certainly advanced many forcible reasons which had considerable weight in my mind, though I concurred in opinion with Lord Ashburton; but the point for which he contended was, that contributions were legal and constitutional, when they came voluntarily from the bounty of the people, without solicitation on the part of the sovereign. The authority of the twelve judges he has cited, which he thinks is not to be surmounted; but the circumstances which occurred in 1745 are not to be quoted as precedents for measures which should not be adopted, except in case of the recurrence of such deplorable times. The judges, he says, had they done wrong, should have called for a bill of indemnity. How long, Sir, is it since the learned gentleman became the advocate for bills of indemnity? A few days since he maintained a conduct and opinion widely different from this; he tells us, that, on the

present occasion, he delivers an opinion, not because it is necessary to deliver an opinion on a great constitutional question, but because it is pleasing to many of those who are dear to him. On a former day, when another constitutional question was discussing, and when he then, as he does now, supported the previous question, he would not, he said, deliver an opinion. From this, may we not suppose, that it would not be so pleasing to his friends; and that his silence makes for us in one case as much as his arguments make against us in another? That great palladium of British liberty, the bill of rights, which should never be mentioned but with veneration and respect, I now hear spoken of with apprehension, lest it should be made use of as an argument to deprive us of some privilege or right: because the bill of rights is silent on the subject of voluntary contributions, on that ground such contributions are held to be lawful; as well might it be said, that because it contains a declaration of the subject's right to petition the king, but is silent with regard to his right of petitioning the Commons, that therefore no such right exists. The learned gentleman has depended much on the constitutional authority of Lord Coke; but I wish at the same time he had quoted Sir Francis Bacon, a man of great talents and erudition also, though unable to withstand the lure of corruption. In his political conduct, much as I defer to his opinions in other points, Lord Coke does not seem to be quite consistent. In the case of Mr. Oliver St. John, (his expression I shall use, because forcible and well founded,) speaking of contributions, he says, "contributions never can be voluntary, some giving through pride, others through fear, and some from interest." Sir Francis Bacon, in his life of Lord Coke (though it is not very fair to take the account from his rival or enemy,) says, that when the case of Mr. St. John was first represented to him, he delivered it as his opinion, "that all gifts, however voluntary, were illegal," but when he came to judge Mr. St. John in the star-chamber, he changed that opinion; and, at all events, the sentiments of Lord Coke, which go to support this doctrine, are taken from his posthumous works, which never underwent a revision; though possibly if they had, they would never have appeared to the world in the shape they now do. With regard to the opinion given by Lord Hardwicke, which has also been relied on, it was certainly an extra-judicial opinion, and therefore of less authority.

But, are these contributions innocent as far as regards the constitution? Are they attended with no evil consequence whatever? Allowing this right of private contribution, might not a great party, or great power, joining with the crown,

enable the latter to carry on a war contrary to the opinion of parliament, or to undertake measures still more destructive to their liberties? It is certain ministers could be found to urge such measures, and assist their execution. This argument has been urged already by my honourable friend, (Mr. Sheridan,) and still remains unanswered. The motion, it is said, does not apply to what has happened. Now, what is it that has happened? The executive government have issued a request or requisition, stating, that it would be desirable to enter into subscriptions for certain purposes; and what is my honourable friend's motion? That such conduct is dangerous and unconstitutional. Does not this go to the very point to which it ought, namely, to a censure of his majesty's ministers for misconduct? Gentlemen say, if there be misconduct, why do you not impeach? I am not for impeaching ministers for every offence; the object of an impeachment is to procure punishment for great offences. It does not appear to me in what manner the king can make any request to his subjects, as separate and distinct from the two Houses of Parliament, who are co-equal in authority with him. In his individual capacity, the only connection he can have with the subject is to command him, which if the command be lawful the subject is bound to obey. It is not an easy thing for a subject to refuse the request of a king: we cannot refuse him with the same indifference we would a fellow-subject; and, if an individual were to refuse to comply with his demand, would not his ministers be apt to point him out as an object of suspicion? I think such requests inconsistent with the dignity of a king, and the situation of a subject. Wherein consists the utility of the measure? Will it be said, that it is not a tax upon the poor as well as the rich? I know of no way by which we can tax the rich, that will not ultimately fall on the poor. It is foolishly imagined in France, that to deprive one great man of his dishes of silver and gold, and another of his money, will be of advantage to the poor. No, Sir, these are the means by which the poor are maintained. The luxuries of the rich constitute the principal means of their support, by employing their industry. If the rich man gives up part of his property in voluntary contributions, he must deduct so much from his expences, which the poor must ultimately feel. In short, a system of taxation that will affect but one class of men is a thing impossible.

But why should his majesty's name be carried begging about the country to excite discontents and jealousies? Why, if it is for the purpose of raising a defence for the kingdom, are not the Commons applied to? If there be a danger, it is

rather that they will be too profuse, than not sufficiently liberal in their grants: why then should ministers occasion these differences? Is it for the sake of those who have lately joined their standard, in order to exhibit with what facility they are disposed to contradict all those opinions and principles they had ever maintained? But let opinions be what they may, in case of invasion, are not we all equally apprehensive of the danger, and equally interested in the event; unless it be supposed that the national convention keep a list of the minority, and upon coming here would preserve their lives and their properties inviolate? That I shall be this night left in a minority, I have but little doubt, as I had it yesterday from good authority, being so told by a lord of the bedchamber, a wonderfully sagacious animal at smelling out a majority in either House; therefore I have the less reason to regret that the previous question has been moved. Upon the whole, Sir, I consider this measure of raising money by public contribution so impolitic and unconstitutional, that were a bill brought in similar to that passed in the reign of Charles the Second, authorizing his majesty to receive voluntary contributions, and limiting the sum to be so received, I should oppose it with all my power. Let us adhere to that wise custom of our forefathers, as the best preservative of our independence, the sole right to grant money to the crown. Suppose the House of Lords were to offer out of their private pockets to contribute to the exigencies of his majesty, would you not spurn at the proposal? Even in the less enlightened days of Henry and Edward you would not suffer it, and will you at this period allow your right to be encroached upon at every county meeting?

The motion was opposed by Mr. Windham and Sir James Saunderson. On a division the numbers were:

	Tellers.			*Tellers.*	
YEAS	Col. Tarleton, Mr. Grey	34.	NOES	Mr. Neville, Mr. John Smyth	204.

So it passed in the negative.

April 7.

On the third reading of the volunteer corps bill, the measure of voluntary aids was again brought forward and defended at some length by Mr. Pitt.

Mr. Fox said, he could not conceive why the right honourable the chancellor of the exchequer should have thought it necessary to go so much into the business on the third reading of the bill, having said so little upon it before, unless it

was because he saw that the measure was not adopted, in various parts of the country, with such eagerness as he expected. If the right honourable gentleman's speech was meant as a puff for the subscriptions, it was well adapted to its end; if it was meant as argument to persuade a House of parliament that such subscriptions were constitutional and legal, nothing could be more impotent and inconclusive. The right honourable gentleman said, it was right to afford men an opportunity of shewing their opinions, and to convince the enemy that the war was not a war undertaken and prosecuted by the English government, but by the English people. This, which, the right honourable gentleman stated as an advantage, was one of the most material objections to the measure. Under such circumstances as the country was now said to be, a statesman, far from seeking opportunities of exasperating opposite opinions by forcing them into collision, would endeavour to soften and conciliate. No man, after being told that the subscriptions were proposed as the test of his opinion, could be imagined to feel subscribing or not subscribing as a matter of indifference. He must know that, if he did not subscribe, he was to be held, in the estimation of at least a very powerful part of his fellow-citizens, as entertaining opinions of the most shocking tendency. It was said, that from a voluntary subscription there could be no ground for apprehension, because if the people suspected that it might be employed against their liberties, they would not subscribe; and if they did subscribe, the deluded people of France must see the falsehood of what their rulers were daily telling them, that the English government, not the English nation, were their enemies. He was sorry to see, that, for a considerable time past, not the English government, but the English nation, had been held out as the object of abhorrence to the people of France.

But supposing the case to be otherwise, the rebels of France would say to the people, "Mark the number of the subscribers in England; they are the only persons who are adverse to our principles, all the rest of the English are obviously our friends." All this arose from the mischievous distinction attempted to be made between the rich and the poor; classes of men who were taught to believe that they had separate and even opposite interests in society, while their true interests were one and the same. What was the common language of the French? That the rich only were their enemies, the poor their friends. Would not the subscriptions inflame this language; and enable them to say, "The rich only, and persons connected with government, will contribute to the defence of the country; the rest of the people are ready to

receive us with open arms." But the measure would not even mark the distinction which ministers pretended to expect from it. Many persons, as zealous for the war as ministers themselves, might object to subscriptions on the recommendation of the crown, as unconstitutional; many, who with him, thought the war unnecessary and impolitic, would do so too; and yet ministers knew, that both descriptions would be as ready to oppose a foreign invasion as ministers themselves. In 1778, when voluntary subscriptions were opposed, were not France and Spain on the point of declaring war? Was any man supposed to oppose them because he wished the country to be invaded by France? What Englishman did not as much abhor an invasion of his country by Louis XVI., great as the moderation and the virtues of that monarch were, as by Robespierre and Danton? Were Marcus Aurelius to rise from the dead, who would not subscribe, if necessary, to oppose an invasion by his arms? The question was not, who was the invader? the resistance was made to an invasion by a foreign foe.

The right honourable the chancellor of the exchequer had enlarged on the impossibility of arriving at perfection; a position of the truth of which most of his hearers were probably convinced before. The exertions of human creatures were not to attain perfection, but to come as near it as they could. But how did this apply? Those who thought with him, contended only, that calling for voluntary subscriptions was a prerogative which the crown did not possess; while those who took the other side said, the king must possess the prerogative, because human institutions could not be perfect. In what respect would denying this prerogative clog the wheels of government? Could any instance be pointed out in which the country would suffer if such a prerogative did not exist? But then, it was said, a prerogative that can do no good can do no harm. The prerogative in question might be efficient for mischief to the country, but never for good. While no danger was apprehended to the constitution at home, men's confidence in parliament for providing for the defence of the country against danger from abroad, would make them think it unnecesary to be eager in coming forward with individual subscriptions; but, for purposes of mischief tending to subvert the constitution, in which many might be interested, and for which parliament would not provide, individual subscriptions might be large and dangerous.

Mr. Fox said, he disdained the defence set up by the right honourable gentleman for the proceeding in 1782. Rather than defend it on such grounds, he would frankly own that it was inconsistent with the opinion he held in 1778. In the

letter of the secretary of state on that occasion, he saw nothing analogous to the request for private subscriptions. It did not even contain an allusion to any subsequent application to parliament; a clear proof that it was not meant to convey any request for raising money. If he had been capable of erring on that occasion, the other members of the cabinet, and the Marquis of Rockingham who was at the head of it, a man whom, both on account of his public character and his private worth, he could never mention but with reverence and affection, would not have suffered it. The measure now adopted was inconsistent with that of 1782, as was the measure of 1778; and those who had opposed the subscription of 1778, and supported the present, were the persons to whom the charge of inconsistency applied. His having suffered the address of December 1782, in answer to a speech from the throne, alluding to subscriptions entered into after he was out of administration, to pass *nem. con.* was no reason for saying that he approved of those subscriptions. A right honourable gentleman, (Mr. Burke,) in terms the most eloquent and splendid, objected to almost every part of that speech, and yet suffered the address to pass without moving an amendment. The answers to the letter from the secretary of state of 1782 he had no means of seeing, although they were constantly made the ground of argument against him. It was of little consequence to be told, that they were not referred to as proofs of inconsistency; for unless he could say, with some other gentlemen, that he thought one way then, and another way now, the arguments built upon them could prove nothing but inconsistency. The right honourable gentleman who had refused to produce them for the information of the House, had now offered to shew as many of them as he could. He regretted that the offer was made just at the time when a discussion upon them was likely to be at an end. He should have thought that the right honourable gentleman who warned an officer (Sir James Murray) not to give any information to the House unless called for by a vote, would have warned his learned friend, the attorney-general, against producing, as matter of argument, papers which he could not suffer to be laid before the House as matter of information.

The attempts now made to prove him inconsistent were highly flattering: for what could be more flattering than to rest the defence of a measure almost entirely on some opinion that he was supposed to have entertained twelve years ago? In 1782 the whole measure proceeded upon a principle in which he and the noble lord, then secretary of state, agreed, however they might differ on other points, namely, that the people had a right to arm in their own defence, without

the orders of government. On that occasion no man was called upon for money; the expence, whatever it might be, either in arms or in time, was to be paid by government. On the present, money was the only thing asked for. He undertook not to maintain the legality of giving ships to the crown by subscription, although of that the danger was small, because ships could not be manned without money. In the present instance, an army was to be levied by the king with money given him without the consent of parliament. If the measure of 1782 was similar to this, it was strange that those who disapproved of the subscriptions in 1778 should not have told him of it at the time. If it were true, as contended for, that the king had the prerogative of landing foreign troops, he might now get money to pay those troops by voluntary contributions. The fund would probably last for a very short time; but when the troops were landed, and so paid for any given time, he should be glad to know how long the subscriptions would be voluntary? Men who refused to subscribe would then be marked in a very different way from that in which it was now supposed they would be marked. That such power could not exist in a free constitution, it was easy to maintain in defiance of all precedents.

Mr. Fox proceeded to examine the several precedents; and shewed clearly that they did not apply. He observed, that those who thought the degree to which a principle was carried in politics to be every thing, ought to see the necessity of watching and resisting the very first degree from the manner in which things inconsiderable in themselves were drawn into precedent. An invasion by the French, as he had before said, was equal in all possible cases. It was a thing which every man must resist, not only with his property but his life; and what greater peril could be stated? No man could now be said to refuse subscriptions upon the same grounds as certain persons were supposed to have done in 1745. Then it might be possible, although he did not know it to be so, that some persons might feel themselves in such a situation, as to think they could be bettered by restoring the house of Stuart to the throne. Was there a man in that House who could be bettered by a successful invasion of the French? Who, under such a calamity, could even hope to be safe? Those who were the most apt to throw out the insinuation did not themselves believe it, because they knew it to be impossible. The right honourable the chancellor of the exchequer said, the subscriptions were desirable, in as much as they would draw forth men's opinions. Would he say, as a man of honour, that he believed any person who refused to subscribe had a French ticket of civism in his pocket, or held a French invasion in

less abhorrence than he did himself? Here, then, was a new objection, namely, that people might feel themselves forced to subscribe under a menace of the severest kind — a menace to their reputation as good citizens. Under all these objections, and finding it not relied upon as a measure of finance, for the right honourable gentleman had owned that he expected little from it, he must persist in his opposition.

MOTION FOR TAXING PLACEMEN AND PENSIONERS DURING THE CONTINUANCE OF THE WAR.

April 8.

THIS day Mr. Harrison moved, "That leave be given to bring in a bill for the purpose of appropriating a certain part of the emoluments arising from certain pensions and sinecure places, for the service of the public, during the continuance of the war, at the disposal of parliament; and also for the purpose of appropriating a part of the emoluments arising from certain efficient places, amounting to more than a specified sum, to be applied to the same purpose." The motion was supported by Mr. Coke, Mr. Curwen, Mr. Sheridan, and Mr. Fox; and opposed by Mr. Hawkins Browne, Mr. Montagu, Mr. Burke, Mr. Rose, Mr. Pitt, and others. In answer to what fell from Mr. Rose,

Mr. Fox admitted that he did hold one sinecure place, but not more. He was, he acknowledged, one year clerk of the pells in Ireland; and, to accommodate the government there, he had, upon an improvident bargain, given it up, and accepted a pension in lieu of it, divided into two parts; but why it was called two places, he did not comprehend. The place had not been granted to him, but was given by George the Second to his father, for services done to government: it was enjoyed by his father, afterwards by his brother, and then it devolved to him as part of his inheritance. Mr. Fox proceeded to state his opinion as to the present motion, which, he said, was different from that of his honourable friend, however he might agree with him in the necessity of adopting such a plan at the present unfortunate juncture. He thought the motion applicable to the times, and therefore he should support it. The sacredness of property was to be determined by a general view of what might be considered property, and not by any degrees. Pensions and sinecures held by patent were as much property as any other possession; and the prin-

ciple of property was so sacred, that no argument of degree could for a moment be admitted as ground for trenching upon it. Where his majesty had a right to grant a place for life, ministers might be made to answer for giving it to an improper person; but the grant, if legally made, was good. A very large proportion of the property of the kingdom would be found in the same predicament, particularly that of a noble relation of his, the Duke of Richmond, and several others, none of which, it would be thought, could be invaded; and if they were to look into the grants of the crown, the greatest part of the landed property of the kingdom would be found resting on that security. For this reason, if the bill should ever go to a committee, he should expressly be for exempting all sinecure places granted for a term of years, because he would not allow an infringement on property in the first instance. *Principiis obsta.* He did not think, however, when ministers were attempting to raise supplies in a new and unconstitutional manner, that it was unbecoming in any member of that House to call on persons holding great offices and places under the crown, to shew their zeal by a voluntary surrender of some of their official emoluments.

Gentlemen who would give themselves the trouble to investigate, would see that the propriety of the bill proposed arose from the new mode of raising supplies by way of subscription. When ministers went out of the legal road for means to support the measures necessary to the war, and justified their doing so on the principle that it animated the people, and excited zeal in the cause, it surely could not be deemed inexpedient to call on those for aid whose business it peculiarly was to manifest zeal, and exert every effort in the maintenance of the war. Mr. Fox said, he should not take any notice, because it had been so fully answered already, of the monstrous proposition made by a right honourable gentleman, (Mr. Burke,) that the crown was to be the sole judge of the merits that called for reward, or the quantity of reward that was to be bestowed. If the proposition itself, which the motion before the House stated, had been brought forward during a time of peace, he should have his doubts how far it would be expedient; but, under the existing circumstances, he considered it a fair and prudent measure, as tending, in common with the subscriptions which had been promoted, to evince the zeal of the objects of it in common with the rest of the kingdom.

The conduct of the two secretaries of state furnished him with an additional argument in favour of the measure. He did not mean to say, in respect to the one, that 4000*l.* a-year, as treasurer of the navy, was too large a recompence for his

services, in addition to his place of secretary of state; but he himself had admitted the principle, when he fairly resolved to take the salary but of one, and not of both places. In like manner, with regard to the other noble secretary, who had relinquished his salary as auditor of the exchequer. But if they thus relinquished such considerable salaries, what became of them? Why should they not be applied to the benefit of the public? The fact was, that the whole transaction was nothing better than a manœuvre, and instead of benefiting the public, the amount of those places reverted back to the civil list, which was a mode of adding to that list without the consent of parliament, and all that was thus saved to the civil list became the means of extending the influence of the crown in the hands of the minister of the day; which influence, upon a comparison with what it was in 1782, would, he believed, be found to be much increased. Thus the public were deceived with the appearance of saving, and consequent benefit, when, in fact, the public gained no more than they would have gained if those salaries went to their original destination. He was decidedly of opinion, that, upon the whole, the efficient offices of the country were not paid over-much, and that what they got might be necessary to their support or reward. With respect, however, to certain great officers, such as the first lord of the treasury, the two secretaries of state, &c. it was to be remembered, that when the present chancellor of the exchequer was formerly in power, one of the last acts of that administration was to record a minute in the treasury office, that in future those offices were to be reduced in their salaries; the first to 5600*l.* a-year; the two second to 4500*l.* each. It was true, that when he (Mr. Fox) came into office, administration, not thinking that principle a wise one, did not adhere to it: and upon their going out, and the right honourable gentleman again coming into place, it would seem that he also thought better of it, because he did not think proper to return to his former regulation. By what they did upon that occasion, however, they left, as it were, their last dying act upon record in favour of the reduction.

With regard to the nice calculations of the reduction of influence by means of the reformation boasted by the honourable gentleman (Mr. Rose) to have been effected in the treasury, although the question was not properly before them, he would put it on its proper footing, and then see how it stood. The advantages to be hoped from such a reform were founded on principles not so much of economy as of influence. This being the case, he desired the House to compare the influence before, with the influence as it existed at present; and though Great Britain and Ireland were more distinct than formerly in some instances, that man, he said, knew but little, who did

not know that the influence of the crown then extended itself to Ireland; and it could not be denied, that influence in either kingdom served mutually to strengthen the hands of administration. The situation of India, likewise, with respect to the subject of influence, would be found another splendid exception to the honourable gentleman's proposition.

There were some general topics, that applied to the present question, which he could not avoid taking notice of. One honourable gentleman had asserted the flourishing state of this country. This was a language which must be considered as harsh and grating to the ears of those who were labouring under the burdens occasioned by the present singular concussion of events. It was doubly insulting, as coming connected with a budget, which added 900,000*l.* fresh taxes upon the subject. Was it in that addition of taxes that the people were to look for the proofs of the flourishing state of our affairs? It might possibly be said, that some of this burden was of a nature in itself beneficial, as containing regulations highly salutary. This might be true with regard to spirits; there, however, if the benefit was certain, the tax must be as certainly inefficient; and so *vice versa*, if it should be productive by the quantity consumed, what became of the benefit to the lower orders? Allowing, however, for the moment, that this regulation was generally beneficial, was even that plea of benefit applicable to the others? The increase, for instance, on sugars; what could it be called, but completely burdensome upon even the lowest orders, where tea, from habit, was to be considered among the absolute necessaries of life? It had been likewise stated, that our commerce was in a flourishing state. How was that to be proved? Not by a comparison between the present and former wars (although even there the argument would fail, the last war perhaps alone excepted,) but by taking our situation in the present war, as compared with the years of peace immediately preceding, together with the similar analogy in former wars. In this true way of considering the subject, he was sorry to say, we should find no cause of triumph. The state of our manufactures was likewise made a ground of exultation; and it was said, that Norwich was constantly lugged in as an exception to the assertion. In point of fact, this was not true; but if it were, the reason was obvious, because Norwich had been a principal victim to the baneful effects of the war. It was not, however, to that place alone that they were confined: look throughout Yorkshire and Lancashire, and would it be denied that distress, the most poignant, reigned universally through those manufacturing counties? Whether this distress were fairly owing to the war or not, it certainly was not decent to state them as if they were in a very flourishing situation.

With respect to the disposition of the various places in the gift of the crown, Mr. Fox said, he did not mean to question the propriety of any individual gift, but should content himself with observing, that the whole administration must be of the most meritorious description to deserve, in any degree, the accumulation of places with which they had been loaded. He agreed, that when a minister served his country, with the approbation of the king and that House, it was highly fitting that his labours should be amply and liberally rewarded; and it was upon this principle that he had in some degree opposed a bill formerly brought in by Lord John Cavendish, for abolishing the offices of the tellers of the exchequer, because he conceived it but reasonable, and beneficial to the true interests of the country, that the crown should have it in its power to reward such of its servants as should serve with ability and fidelity; but when war pressed on us with all its train of difficulties, when all parts of the country were called upon, almost with threats, to subscribe towards defraying the expences, he thought it reasonable that those who involved the country in such difficulties, and who were the first to call upon the people individually for support, should themselves begin, by setting the example which they wished to be followed. In like manner, too, he was of opinion, that the charges attending the carrying on of our government were not inordinately expensive, because though compared with some they might appear large, yet, taking the whole of human affairs and human reasoning with us, they would be found as moderate as could be expected. It was not, nevertheless, an argument, that, because perfection was not attainable, it was not to be attempted; in striving to lessen some of the evils, a great deal of good was to be attained; in striving to lessen some of the expences, much benefit was to be derived.

It had been said, that the present mode of negociating loans was likely, in time of war, to save 500,000*l.* for the public; it should however be remembered, that this mode, promising as it might be, had been tried for only two years; and, though it had been successful in the last, it had led, in the first, to a very improvident and disadvantageous bargain. To repeat the names of those who would have given better terms, would be only to mention some of the most respectable inhabitants of this metropolis. Consols, it was certain, would have been taken by these persons at 75, instead of 72, the price given. For the reasons which he had stated, he should vote for bringing in the present bill; and lest the bill might never reach a committee, he would take that opportunity of declaring what regulations he should think it right to propose if it were in a committee. He should think it but just to exempt every

place in which any legal interest could be established. As to the rest, he should propose to examine them, office by office, and determine, upon their individual merits, how much should be taken from each. In this view only he could agree to the bill, as thereby it would be founded in some degree on precedent, and as being at this time rendered peculiarly necessary from the circumstance of the subscriptions set on foot. He declared he was himself much attached to old practices, but, if driven to it, he must apply to new remedies.

Mr. Fox said, he could not conclude without doing some justice to his feelings, by taking notice of the expressions which had fallen from the same gentleman relative to the property made by his father, as paymaster of the forces, coupled with a statement of the immense deficiencies which remained unaccounted for in the pay-office. He appealed to the House whether it was fair and candid to unite these two circumstances together, so as to make them appear connected, without one solid ground for any thing like serious accusation? If the honourable member meant such insinuation, he would reply, that it was not founded in fact, and he would defy him to the proof; but he did not believe he meant any such thing. He ought however to have considered how deeply he wounded the feelings of a gentleman by such insinuations. The fact was certainly true that his father had made a large fortune—great fortunes were made by the predecessors of his father in that office—great fortunes were also made by his successors. It was as true that great and unaccounted deficiencies existed in his office; but it was equally true that such deficiencies were as great and as unsettled under former paymasters as him, and with as little personal blame. Of a disposition generous beyond suspicion, he was liable to expose himself to imposition. He was of an easy nature, which was not always—he believed seldom—the mark of a guilty mind. The case of Lord Chatham himself was a proof that accounts might be long out-standing without any disinclination to have them adjusted. Without taking any ostensible part in the discussion of the accounts, he certainly had seen the reports on the subject; by those reports he called upon gentlemen to judge, and not to be led away by insinuations, which he again challenged any man to vindicate or substantiate.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. M. A. Taylor Major Maitland	48.	NOES	Mr. Neville Mr. Sargent	117.

So it passed in the negative.

BILL TO ENABLE SUBJECTS OF FRANCE TO ENLIST AS SOLDIERS.

April 17.

IN addition to the plan of raising an internal force by voluntary subscriptions, Mr. Pitt moved on the 7th of April, "For leave to bring in a bill to enable subjects of France to enlist as soldiers in regiments to serve on the continent of Europe, and in certain other places, and to enable his majesty to grant commissions to subjects of France to serve and receive pay as officers in such regiments, or as engineers under certain restrictions." Leave was given to bring in the bill, and on the motion for its passing, upon the 17th,

Mr. Fox said, he was really sorry, at that stage of the business, to trouble the House, as their minds must be to a considerable degree made up upon the subject; but he absolutely felt himself called upon to say at least a few words, because the bill appeared to him in some points of view, to be of the utmost importance, and, if carried into effect upon those principles upon which it had been maintained, likely to produce consequences of the most alarming tendency, and calamities the most dreadful that ever war in modern times had produced. In the earlier stages of the bill, he was not very anxious to deliver his sentiments upon it, because he wished to be silent as to his objections, until he had heard the reasons which should be urged in its favour; and although the House was then in the last stage of it, the same distress and difficulty remained as to the principle upon which it had been brought forward, as existed at the commencement of this proceeding. It was true, several objections had been made to the bill, some amendments had been proposed, with different degrees of success, and some answers had been given to the objections; but these applied chiefly to the provisions of the bill. As to the principle of the bill, very little indeed had been urged in its support, and nothing that had in the smallest degree changed the first opinion he entertained on the subject; on the contrary, many of those reasons which had been urged in favour of the bill, and which had been approved by the majority of the House, had excited in his mind very great alarm at the measure altogether. Almost all that had been said by one set of its defenders amounted to this, that those men who were to be inlisted under it, would feel that, from success, they might hope to be restored

to their honours, their fortunes, and their country; from defeat, they must expect to meet either poverty or death. Standing in this alternative, where success promised so much, and defeat placed before their eyes the most dreadful calamities, they must, it was supposed, engage with ardour in the cause. Another set of the defenders of the bill, and particularly one right honourable gentleman, (Mr. Burke,) had said, "that the bill was an auspicious beginning of a new system; that the honours, rights, and property of the emigrants must be restored to them before our own could be said to be secure; that Great Britain, with regard to its property, and its rights, should feel an identity of interests with the emigrants of France; and that, except those properties and those rights, were restored to them, our own would be comparatively of little value." This, Mr. Fox said, must be admitted to be a position perfectly novel, and would, in his opinion, in its nature and tendency, be dangerous to this country and to Europe, if adopted by government or sanctioned by parliament.

He wished, for a few moments, to call the attention of the House to the progress of the business. Though inimical to the war in its commencement, and wishing sincerely, as he thought it for the interest of the country, that it should be avoided if possible, yet being once entered upon, he held it right that it should be prosecuted with energy and effect. To this end he promised his support, thinking that it was to be carried on as all former wars had been carried on, by fleets, armies, and money; and, in the view in which it was stated to the House at its commencement, that was the species of support that it was understood government looked for; for it was at that time distinctly stated, that the object of the war was to repel a distinct aggression of France against Great Britain and her ally the United Provinces, which aggression was the insult offered to this country by certain decrees of the national convention, and by their attempt to deprive Holland of the exclusive navigation of the Scheldt. That those were good grounds of war could not be denied, unless satisfaction might have been obtained by negotiation. They were certainly proper subjects to discuss by negotiation; and it was his opinion, if those means had been tried, that the present war might have been avoided. But such was not the opinion of the executive government; it was not the opinion of the House of Commons; and we therefore had recourse to arms to procure satisfaction for the insult, security from further aggressions, and indemnity for our losses. Mr. Fox said, he sincerely lamented that such was the opinion of the executive government, and of the House of Commons;

because he believed it to be the cause of all the evils we had already suffered, and of the many calamities in which we and the rest of Europe were likely to be involved. He wished that we had had recourse first to negotiation; and if that had failed to procure us all we had a just right to demand, no doubt could have been entertained of the propriety of our entering into a war, and endeavouring to procure from France, by the success of our arms, that justice which she refused to the wisdom of our councils.

At the commencement of the war, the government of France made no part of the consideration of parliament as connected with the question of peace, except as to how far such a government was capable of affording security against future insult and aggression. When that security was discussed in that House, and those who were most disposed to decry every thing that belonged to the government of France, were driven to an explanation of what they meant and what they really intended to insist on, the opinion of the House he understood to have been this, that it was a matter of much difficulty to know precisely what kind of security could be obtained from the present government of France; but it was then admitted, that to obtain some security on that point was not altogether impossible; and that if security could be had, there existed no objection to the form of government, nor should that be considered as any obstacle to concluding a peace. There was no necessity for him to argue, that there existed a possibility of obtaining security from such a government, because from the statement of the condition, obviously the possibility was admitted. If those gentlemen, who argued this conditionally, did not feel the possibility of obtaining security, they certainly dealt in a very unfair and uncandid manner with the House and with the country; for if they were of opinion, that we could not obtain security from the present government, ought they not, in an open, bold, and manly way, to have then declared, that it would be impossible to obtain peace while that government had existence, and that, to obtain so desirable an object, that government must of necessity be destroyed? That, however, was not the state of the case last year; nothing of that sort had been insisted upon; no such opinion was ventured to be advanced; and he was very much inclined to believe, that if the object for which we were about to engage in the war had been stated by the executive government to have been the subversion of the government of France, that it would not, either in that House, or by the people of the country, have been supported. He complained, therefore, on the part of the people of England, and on the part of the House

of Commons, that we had been led into a war upon one pretence, and that the operations for carrying it on were directed to purposes and objects totally different from those held out to that House and to the country, by his majesty's ministers.

He would ask, if this measure was necessary for carrying on the war on the principles avowed last year, although it was not then either a fit or necessary one? It would be a trifling answer to say, "It might not have been necessary then, but we know it to be so at present, and it is never too late to mend." The manner in which they proposed it should have been fair, open, and sincere; they should have told the House the truth; they should have confessed their own laches last year, and shewn they were willing and desirous, by new diligence, to make the best atonement in their power to their country for their former neglect and inattention: they should have said with one voice, "We now look upon the war as such, that this measure should have been adopted originally, and that it is a necessary one, though we entertained a different opinion at first." They should declare to the House what was in reality their system and their object; in what particulars it had been altered from their original plan; and then, whether such alteration was for the better or the worse, have left parliament to judge. Certainly, he thought the war on our part to be both just and necessary, provided it was impossible to obtain, in the first instance, satisfaction and security by negotiation; but he could never agree that we should continue the war for the purpose of imposing a form of government on France. He certainly thought, that even though the government of France was an unjust or wicked government, it was in direct contradiction of the first principles of an independent state, and of the sovereignty of nations, to interfere with its formation. If a people, in the formation of their government, have been ill-advised, if they have fallen into error, if they have acted iniquitously and unjustly towards each other, God was their only judge; it was not the province of other nations to chastise their folly, or punish their wickedness, by chusing who should rule over them, or in what manner and form they should be governed.

These points, continued Mr. Fox, seemed to have been universally understood and assented to last year; they were points agreed on by all the authors he had ever had an opportunity to consult, who had treated of the law of nations, or the nature of government. Now, it seemed, we had entirely changed our system, and were to employ the French emigrants in support of our new one. If the purport of

this bill had been simply to enable his majesty to enlist foreigners, he should have considered it in a much more favourable light; but, to his understanding and comprehension it appeared to be this: that we pledged the faith of this country to the emigrants for the full restoration of all their rights, titles, privileges, and properties, which they had lost by the Revolution, and that we would overturn the present existing government of France by force of arms. With respect to those unfortunate men, the emigrants, there was no man who felt more sincerely for their situation than he did. It was true he differed in sentiments with most of them; he disapproved of their conduct in many instances; but, if difference of opinion were a cause of withholding sympathy and compassion, this would indeed be a dismal world to inhabit. Difference of opinion was, in his mind, one great cause of the improvement of mankind, because it led to inquiry and discussion. It was his opinion that in all points, civil and religious, toleration of opinion was wisdom; upon that depended all the peace, he had almost said all the virtue, and consequently all the happiness of the world. This humane doctrine was the great leading feature of the mild and beneficent system of Christianity, and what had tended to render it such an inestimable blessing to mankind. He should, therefore, by no means say any thing harsh of the emigrants, though differing from them in sentiments; on the contrary, it appeared from their conduct, that they were sincere in their professions. But because he sympathized with and compassionated the sufferings and misfortunes of those men, it was not necessary that he should be willing to pledge the faith of the country for the restoration of all they had lost by the Revolution, and for the total subversion of the present ruling powers in France; that was a conduct, which, if adopted, would, in his opinion, expose this country to great and tremendous evils.

The war in itself, considering the present condition of France, Mr. Fox considered as formidable to this country and to its constitution. Whatever might be the objects to be attained by it in the minds of other men he could not tell; two only seemed most desirable to be entertained: the first, that its duration should be as short as possible; the second, that in its prosecution it should be as little bloody and savage as the nature of the case would admit. The present bill he principally objected to as militating against those two wishes of his heart; for it would certainly tend both to prolong the war, and render it more savage, bloody, and inhuman, than any war that had ever disgraced the annals of modern nations. If the object of the war, as had been originally stated, was

to recover the exclusive navigation of the Scheldt for the United States, or to repel any insult offered us by the French, or to obtain satisfaction for present, and security against future aggression, he confessed that he should be sanguine in his hopes with respect to its termination. He might then think, that those who considered the last as a fortunate campaign, had not viewed the matter so unfairly; because, if such were the objects of the war, the consideration of the places we had taken might induce the French to think of peace. If we took Pondicherry, that might bring us a step nearer peace; because prudence might induce them to the measure, in order to save the remainder of their Indian possessions. The capture of St. Domingo, or Martinico, would be another step nearer the attainment of that desirable object; because a regard for the preservation of their other dominions in the West might incline them to conclude a peace. In that point of view it was easy to conceive how a nation of Europe might be conquered in the East or West Indies: successes of this kind, in all former wars, had been so many steps towards the conclusion of peace. Upon such grounds as these were founded the peace of Utrecht concluded by Louis XIV., the peace of Fontainbleau by Louis XV., and the peace of Paris in 1783 by Great Britain. But was that the case in the present war? No such thing; because the object of the present and former wars was essentially different. If the principle of the present bill was carried into effect, we must necessarily destroy the present existing government, or what you please to call it, of France. It would avail us nothing, if our object be the destruction of the French government, to take the whole of their East and West India dominions; it would avail us nothing that Brissot, or Danton, or Robespierre were put to death; for what would the French say? "True, we have had all these losses; but we are not fighting for dominion or territory, or for particular men; we are fighting for our existence, and for the existence of our government." Successes of this kind, therefore, had no effect whatever towards accelerating the conclusion of a peace. It was true, it might be said, that the more we took of their possessions, the more we should reduce their strength, and therefore the more we should incline them to wish for peace. This mode of arguing was certainly right when one thing was held equivalent to another, and when the great object was the loss or gain of possession or dominion. These arguments had force or application only to a case where we chanced to be at war with a government that it was not our object to destroy, but they could have no bearing whatever on the case of a war with a government, the destruction of which was

made a necessary preliminary of peace. To such a government, therefore, the loss of an island, or of islands, could afford no argument for making peace, because the persons exercising the powers of government knew that our object and endeavours aimed at their entire destruction.

It might be said, that by degrees we might so weaken them, that they would consent to any form of government rather than continue the war; for, by diminishing their power, we should lower their pride. He would ask, was there any man in that House, or any man in the country, that had ever considered the subject, who thought that in the present situation of France such an effect could follow from such a cause? Could we conceive that those men, with such a spirit, whether from terror of their rulers, depravity of heart, enthusiasm, or from whatever cause such a spirit and disposition might have originated; could we conceive that these men would be found, in any considerable number, to change the sentiments they had almost to a man adopted, of forming a government for themselves, and tamely and submissively bear the yoke of a foreign power, and take any government that should be dictated to them; and all this because we might have proved successful in the East or West Indies? If any person could hold such an opinion, his mind must be strangely constituted indeed! It might, however, be said, that our successes would tend to make the people discontented with their present rulers, and diminish their attachment to their government. Was such an effect to be expected, or at all likely to be produced? Was there a man, woman, or even a child, in France, who, having borne all that they had borne within the last five years, who, having witnessed the horrors and blood with which their country has been deluged, to whom each day had been a day of life and death, yet had nevertheless adhered to their government and their rulers, would now desert them merely for the loss of an island in the East or West Indies? We all knew that when the mind was irritated and goaded, when it was busied in viewing daily objects of terror at home, it was not likely to be much affected by remote consequences: they were either not taken into its consideration at all, or, if considered, compared with nearer evils they were looked on as nothing. If our object was, therefore, against the government, and not against the possessions of France, there was no man of sense who would not admit that those different advantages which he had enumerated, had not the smallest tendency to promote or restore peace; and there could be no advantage which we could possibly gain, that could contribute to this end, unless we should be able to take Paris, or some other material part of France;

which would be found an undertaking of infinite difficulty and dreadful danger.

It was not his intention, Mr. Fox said, to inquire into the conduct of the war. He had stated these points merely for the purpose of pointing out the difference between the two kinds of war to which he had alluded, as to the circumstances which tended to the acceleration of peace; and certainly, in that point of view, the difference was great indeed. Viewing, therefore, the present bill on such a principle, and considering it, what the common sense of mankind must admit it to be, a virtual engagement on the part of this country to restore the ancient government of France, and to replace those emigrants in the situation they formerly enjoyed, surrounded by all that pomp and dignity we heard so elegantly depicted, peace appeared to him an object infinitely distant. It was impossible to say what turn the affairs of France might take; nothing could be more improper, or even ridiculous, than any attempt to predict what might occur: but looking on the circumstances of that country as they were at present, he felt himself bound to say, that the conquest of the French seemed to him a task so dangerous and difficult, that he should be unwilling to advise it to be undertaken. It had been said on a former night by an honourable gentleman, (Mr. Jenkinson,) and it was wisely and truly said, that the best mode of conquering France was to take Paris, and that the only means by which this could be effected, would be by first taking the strong towns on the northern frontier, which might serve as a protection for our troops, and enable us to march forward with security: that, Mr. Fox said, he also conceived to be wise and just reasoning, and the only way in which Paris could be taken; but, the very mode proposed for attaining this object, convinced him at once of the difficulty, and almost impossibility, of carrying it into effect. When we looked on the iron frontier of France, and saw what must be passed, before we could have any fair prospect of marching to Paris, we must be convinced that the task was of an Herculean kind; required an Herculean labour, length of time, and an uninterrupted series of success to accomplish; and we should also take into consideration the nature of the cause, and the temper and disposition of the people with whom we have to contend.

It had been mentioned more than once, and he presumed by way of reproach to him, that he gloried in the victory of Jemappe. He had heard it, often as it had been mentioned, without pain or emotion; for he had not said any thing upon that subject which he had yet found cause to repent of; nor did he retract a single syllable of what he had

ever said on that occasion. It had been asked, by way of derision, was it any thing extraordinary for 60,000 men to vanquish 20,000, and wherein consisted the glory of the action? He did not mean to say that it was a thing extraordinary or surprising; but let them not therefore hold the valour or military character of the French too cheap, even in their present situation. It was not his design to detract from the valour of the Austrians or Prussians, much less did he wish to detract from the well-known bravery and military skill of his countrymen; at the same time, if it was wise and necessary to look our danger in the face, let us not think of despising our enemy: from this error many fatal consequences had often arisen. He should refer the House for the military character of the French, to the manifesto of the King of Prussia: when assigning his motives for withdrawing himself from the war, he spoke of them as a people of uncommon bravery, and approved tactics. This was the opinion of experience; and not merely the opinion of the king himself, but that of all his generals and officers; men, if he might use the term, the most learned in military affairs, and founded on dreadful experience of their prowess.

——Experto credite, quantus
In clypeum assurgat, quo turbine torqueat hastam.

In the description which this declaration gave there was nothing upon which any reasonable hope could be founded, that the French were a people easy to be conquered: to which he must add, that the experience of history had taught him to expect that such a people, fighting under such circumstances, must be very formidable to the most powerful enemy that could be opposed to them; and if we were to conjecture the future from the consideration of the past, such an event, as the complete conquest of the French in war, could not be reasonably expected. If, therefore, this was likely to be a pursuit so hopeless, he should wish to ask, whether it were prudent, or consistent with the dignity and honour of this country, (for the honour of a nation, like the honour of an individual, was the most valuable and sacred of its possessions,) to employ those unfortunate people in such a visionary scheme? It was not right to pledge our honour for the performance of what all the world knew to be extremely difficult to perform, and what, perhaps, many experienced people considered as altogether impossible to effect.

Having thus endeavoured to shew that the prospect of peace would by this measure be placed at an infinite distance, and that it was highly improper to pledge ourselves for the performance of what all the world must perceive to be very

doubtful, if not desperate, namely, to overturn the present existing government of France, and to restore to these emigrants all the rights, honours, and privileges they formerly enjoyed, he was led to consider the effect that this war, by its continuance, would have on the hearts and the general morality of the people of Europe. He did not mean to boast the possession of humanity as peculiar to himself, more than to any other person; but he begged leave, at the same time, to say, that he hoped he did not possess less than any other man, who had not more acute feelings, or a better understanding: he was, therefore, convinced, there was not one man in this country, however he might differ from him in opinion as to the justice, or the origin, or the necessity of the war, who felt more real anguish for the calamitous state of Europe at this moment than he did. It had been said, and truly, that one of the many evil consequences of the war was, that it tended to render the hearts of mankind callous to the feelings and sentiments of humanity. When we daily heard of the massacres of such numbers of individuals, that memory could not even recollect their names; when we contemplated the slaughters at Lyons, at Marseilles, at Bourdeaux, at Toulon; he much feared that the effect would be injurious to the morals of all Europe: the misfortunes experienced by multitudes of individuals at these and other places had been so great, that the mind was bewildered in the magnitude and complication of the misery. He was clearly of opinion, that the human mind might be made so familiar with misery, and scenes of horror, as at last to disregard them, or at least to view them with indifference. It was difficult to preserve always the acuteness of the feelings; and it was, in his mind, no small misfortune to live at a period when scenes of horror and blood were frequent. By the constant repetition of such scenes, our feelings were by degrees blunted, and in time became indifferent to what at first would interest them with the most amiable sympathy and distress. Humanity on this account, had been, by the Stoics, deemed a weakness in our nature, and in their opinions impeded the progress of the judgment, and consequently the improvement of *morals*; but his sentiments so widely differed from theirs, that he thought humanity not only not a weakness, but the strongest and safest friend to virtue. No man could lament, therefore, more than he did, the mischief done to mankind by making the heart too familiar with misery, and rendering it at last indifferent; because, on the heart and on the feelings, chiefly depended our love of virtue; and he was convinced they did more service to the cause of virtue, than the wisest precepts of the wisest men. Humanity was one of the most beautiful parts

of the divine system of Christianity, which taught us not only to do good to mankind, but to love each other as brethren; and this all depended on the sensibility of our hearts, the greatest blessing bestowed by Providence on man, and without which, with the most refined and polished understanding, he would be no better than a savage.

The feelings of all Europe had already suffered by the repeated horrors of France; but, with regard to their cause, the French appeared to have, in a great measure, been driven to these violent scenes of bloodshed and horror. It was with a nation as with an individual; for if an individual was placed in a situation in which he felt himself abandoned by the whole world, and found that no one was his friend, that no one interested himself in his happiness or welfare, but that all mankind, as it were by general consent, were his enemies, he must become a misanthrope and a savage, unless he possessed a mind more heroic and exalted than we had any right to expect. Such was the situation in which France had been placed; almost all Europe had united against this single people; not for the purpose of regaining any territory upon the Rhine, or restraining the strides of an ambitious monarch towards universal empire, as had been the case with the combination against Louis XIV.; not for the purpose of repelling an aggression, or to obtain reparation for an injury, or satisfaction for an insult, or indemnification for losses, and security for future peace, but for the open and avowed purpose of destroying a people, or compelling them to accept a form of government to be imposed on them by force of arms; and that, too, the form which, from every conjecture that could possibly be made, they most detested and abhorred—their ancient monarchy. Could it be wondered at that the French, under such circumstances, were savage and ferocious? He did not say that it was the intention of the combined powers to compel them to return to their ancient form of government; it was enough that they were under the apprehension of it, and that almost the whole of Europe were leagued in arms against them; and no man could deny, but, as a people, they had an equitable and moral right to resist such an attempt, and to refuse their submission to such dictation.

A right honourable gentleman (Mr. Burke) had drawn a pleasing picture of the happiness of the people of France under their monarchy, and had bestowed what he considered an unmerited eulogium on that form of government, where the French peasant was described to have sat in happiness and security under his vine or his olive. He, for his part, Mr. Fox said, had certainly no pretensions to any thing like profound philosophical observation on men or manners, but he

had been in France where this mild and temperate monarchy was, and had seen some of their peasants, who were so far from having any thing like security for the possession of any property they might have, that it was altogether at the disposal of the higher orders; and their situation in general was, to all appearance, so replete with misery, so abject, and so wretched, that they could not be objects of envy to the subjects of the most absolute despots upon earth. He knew that France had been called "a mitigated absolute monarchy:" This he would deny, from experience, and contend, that it was most fierce and barbarous. He did not mean to compare the situation of the people of France, under their monarchy, with the situation of the people of this country, or with the situation of the inhabitants of Holland, of the United States, or the happy Cantons of Switzerland; he would compare them with the inhabitants of Germany and Italy, and the other despotic governments of Europe, and contend, that their situation was by far the most distressed and wretched of any of them. Seeing this to have been their situation, and apprehending the object of the combined powers to be to replace them in that bondage, it was not surprising that they should become furious.

In a former debate on this bill, he had heard it asked, Whether, if any of the emigrants employed by this country should be taken and put to death, we were to retaliate? He had heard also, in reply, a solitary, but dreadful, "Yes;" and surely the wit that had been used on this reply was as ill-timed as it was inapplicable. Dreadful were the consequences that must follow the adoption of a system of retaliation; dreadful the situation in which these unhappy men would be placed, who must, if taken, be considered as rebels, and put to death: as to these unfortunate men, the war would be a civil war to all intents and purposes; and every man knew that civil wars had never been distinguished by humanity. A great military authority (Lord Mulgrave) had asserted, that these evils, so much apprehended, were not likely to be produced. He rejoiced at this information; but, nevertheless, he believed that those gallant men who fought under the Prince of Condé, and were unfortunately taken prisoners, had been to a man put to death. The same noble lord had asked, whether we should suffer ourselves to be bullied by the French out of the means which were in our power? Certainly not; but let us be certain, in the first place, that these means rested upon fair grounds, and were such as we had a just right to use. The opinion which he was about to state, was like many other of his opinions, perhaps singular; it was this, that war ought to be carried on as mercifully as possible, without any regard to

persons. He certainly could not find this opinion either in books, or in the practice of Europe; and history taught all who perused it, that the treatment of prisoners in civil wars was never remarkable for humanity. Let us look to our own history, and to what were called good times. We had had, during the present century, in this country, two rebellions, in the years 1715 and 1745. Did we then reverence this merciful maxim? Did we consider that the treason of every man was done away by his holding a commission from a foreign power, when taken in the field of battle? No: Mr. Radcliffe offered this plea; but it did not avail him: he was executed.

If the French were to land in this kingdom, and there chanced to be any body of people so abandoned to all sense of duty, so lost to the love of their country, so dead to their own interest and happiness, as to join them, should we pardon any of them, who should produce a commission from the convention? We should not. If, therefore, any of these emigrants were taken in the field of battle, in arms against their country, was it to be supposed that the convention would respect the commissions granted by the King of Great Britain, or that those commissions would afford them protection, or secure them from punishment? In the present question, if we determined not to retaliate, in what a disgraceful and calamitous situation did we place those whom we employed! And if we did retaliate, good God! in what horrors would Europe be involved! In whatever point of view he considered the measure, it appeared highly objectionable; it would tend, if adopted, to render the war more bloody and of longer duration.

Let us take a view (continued Mr. Fox) of ancient history, and see how wars have been conducted, and compare them with the present; we shall then see the reason why the present war is more bloody and more cruel, than any of those wars recorded in modern history. In modern wars, the contest has been, generally speaking, concerning the possession of territory; at least the loss of territory, for the most part, has determined it; each acknowledging the independence of the other as a nation; and therefore the parties, like two individuals at law, did not seek to destroy each other after their difference was determined. In ancient wars, the contest was between powers seeking the destruction and extermination of each other as a nation. It is not my wish to take from the mild effects of the Christian religion, which also has tended to soften the manners of men, but the merciful manner in which modern wars have been carried on, in comparison of the ancient, has resulted chiefly from this great difference between their objects. *Delenda est Carthago*, said the Roman

senate, of Carthage: Athens conceived it was for her interest to destroy the government of Sparta, and, *vice versa*, the Macedonians were convinced of the necessity of extirpating the Greeks. To these wars of the ancients, the civil wars of modern times alone afford a parallel, because their objects are also to effect the destruction of governments; and for this reason, they are less merciful and mild than wars waged between independent sovereigns. The present contest with France may be justly termed a civil war, in the force, the acrimony, and savageness with which it is carried on.

The combined powers had declared that the government of France must be destroyed, and that declaration had rendered the French desperate and cruel. That was a system at which humanity shuddered; that was a system promoted by the present bill; a system openly avowed and maintained by those who supported the principles of this measure. That system had already had its effects in this country; it had rendered the people callous; some through fear, a power which deprived a man of rationality; others by indifference, which prevented a man from exerting his intellects, and benumbed his feelings. To what but this could be imputed the excessive severity of the sentences lately passed upon Mr. Muir, Mr. Palmer, and others, for having done nothing more than an honest man, acting perhaps under the influence of a misguided judgment, might conceive it to be his duty to do; for having done nothing more than pursue a little too closely the former conduct of his present prosecutor? To what but this could be imputed the general disinclination of the House, and lastly, its absolute refusal, to interfere with these sentences? If any man, three years ago, had committed such an offence, and had received such a sentence, the House would have fired with indignation, and interfered to prevent its execution. That punishments so enormous should be inflicted on gentlemen of a liberal education, and irreproachable manners, probably possessed of good hearts, and whose only crime so nearly resembled the virtues of other men, who even arrogated to themselves some merit on that head; that such men, for a bare misdemeanour, should receive a sentence worse than death; a sentence that had the certainty of death, without its immediate release from misery, a lingering, peevish infliction of a punishment, which, in cruelty, exceeded immediate death; and all this for a conduct not long since deemed meritorious; this was owing to the horrid examples of France, and arose from inordinate fear, and miserable apprehension. Was he not, then, entitled to say, that the present war was dangerous to the constitution of this country, since it tended so directly to extinguish, in that House and in the people, the spirit which

had hitherto guarded the constitution from the daily attacks of the executive power? Impressed so forcibly with these sentiments, he felt himself unable to withhold his opinion; not from any expectation of making any deep impression on the majority of that House; that, he was well convinced, would be a hopeless expectation; but because he conceived it his duty so to do, that the public might be called upon to exert their judgment.

There were two points more to be considered, before he could take leave of the subject: first, the probable effect this system would have on the French character; and second, the immense expence the measure might introduce in the public expenditure of this country. With regard to the first point, it was to be observed, that the French character was a marked one; and nothing was more prominent in it than an attachment to their country, which might be called patriotism, or nationality, but which consisted in the desire of having France appear magnanimous and great in the eyes of the world. Perhaps in this they had never been equalled, except by the ancient Romans. This ought to make the House cautious as to what might be the result of employing any very considerable number of these men. Let them consider, that should we even succeed in placing Louis XVII. on the throne, and a question of indemnity were to arise, perhaps these very French troops we had employed might take part against us; they might possibly have also other interests in betraying us. He did not mean to say they would do it, but at the same time it would not be altogether discreet to hold out to them too great a temptation. Suppose, however, that we should fail in our attempts, and should be forced to return to the first object of the war, what would be then the consequence? We should become the sad spectators of the ruin we had occasioned; we should hear these emigrants reproach us in this manner: "We depended on your promises, and you have deceived us; we relied on you with confidence, and you have thus prevented us from using any endeavour to reconcile ourselves to our country." We should then be forced either to cast them out to the wide world in misery and distress, or to burden the people of this country for their maintenance; a burden that would be more heavy, and less just, than that in consequence of the protection afforded the loyalists in the American war. With regard to the expence, it was impossible to say to what extent it might go; and as our resources, like all human things, had their limits, we could not be quite sure the people would be able to bear the burden; nor could we be sure, supposing them able, that they would be long willing to do so. When so desirable an end would be accom-

plished God only knew! but he contended, that we should endeavour to accelerate the period of peace, and to make the war as little savage and ferocious as possible. This bill, as inimical to these two very desirable objects, which were so much the wish of his heart, should have his decided negative.

The bill passed without a division.

PRUSSIAN SUBSIDY.

April 30.

ON the 28th of April a message was delivered from the king, informing the House of Commons of the treaty concluded with the King of Prussia; by which Great Britain and the States-General had jointly stipulated to grant that monarch a larger subsidy for the prosecution of the war. When the terms were laid before the House, it appeared that 1,800,000*l.* were to be paid him for the services of a twelvemonth; of which Holland was to furnish 400,000*l.* The immensity of such a sum, advanced to a prince in whom little or no confidence was reposed, awakened the fears of those who dreaded his duplicity, and that being once in possession of this treasure, he would feel little concern for those from whom he had received it. This apprehension was the more justly founded, as he was privately negociating with the French government at this very time, and preparing for that secession from the confederacy which he had already resolved on. The message was taken into consideration on the 30th, when Mr. Pitt opened the subject to the House, and moved, "That the sum of two millions five hundred thousand pounds be granted to make good the engagements which his majesty has entered into with the King of Prussia, as well as to defray any extraordinary expences which may be incurred for the service of the year 1794, and to take such measures as the exigency of affairs may require; and that such sum be raised by loan or exchequer bills, to be charged upon the first aids to be granted in the next session of parliament."

Mr. Fox said, it was necessary for him to say a few words upon the present extraordinary occasion, and the extraordinary manner in which the subject had been brought forward by the right honourable the chancellor of the exchequer. The commencement of the speech of the right honourable gentleman appeared to him to be of the most alarming tendency. It held out a system, which, if pursued, the wealth of this country, even supposing it to exceed the most sanguine hopes of

the most liberal calculator, was comparatively nothing. It seemed to convey this idea, that we were not only to subsidize the King of Prussia, and enable him to carry on his operations in the war, whenever he might be tired of so doing at his own expence, but also to bear the whole expence of any other power, whenever that power should be in the humour to express the same inclination. The right honourable gentleman had said, that if he had the honour of advising the court of Berlin, he had no doubt which way his opinion would be given; because the existence of the nation depended on the issue of the contest; but that the court of Berlin, from a consideration of the restricted commerce, the limited resources, and the nature and form of the constitution of Prussia, (which, by the way, was no proof of its excellence,) might have entertained doubts how far it was prudent to remain a principal in this contest; yet, notwithstanding these considerations, the right honourable gentleman would have had no hesitation in advising that court to have continued a principal in the war. The house would recollect, therefore, that it was told by the minister of the King of England, that his ally, the King of Prussia, had been so ill advised, that he had taken the timid, the weak, the mean, the wicked, the shameful and scandalous determination, by abandoning the war, of abandoning his own honour, abandoning the interest and safety of his own subjects; this was the amount of that observation.

The right honourable gentleman had not, however, stopped there; he went further, and said, since this was the case, since such had been the disgraceful conduct of Prussia, such the timid and pusillanimous result of the councils of the court of Berlin, that Great Britain ought to step forward, and press the King of Prussia to proceed contrary to the advice of his counsellors, and engage to bear the expence. What! when Spain, Austria, and all the other powers, might come to the same resolution? Yes, though all Europe should come to that resolution; for he had said, that from the moment that resolution was taken, it became our interest and our duty to stand in the place of this monarch, and to say to him, "Since you are so ill advised upon this business, and are determined to withdraw yourself from the contest, let us have your troops, and you shall have our money." Mr. Fox said, he wished to ask, whether the whole of that argument was not applicable to Spain, and to all the other combined powers, at present at war with France? This was not an idle speculation, it might soon become a reality. Did the right honourable gentleman know the resources of Austria? Had he any thing to say, that could give the people of this country any ground to hope that the same difficulty would not

be felt by the other powers as had been expressed by Prussia? They had the same circumstances of difficulty with regard to their wealth and commerce; and all, except the Dutch, the same defect with respect to their constitution. Was there any inconvenience felt by the King of Prussia, that did not belong, in a great degree, to the Emperor, to the King of Spain, and to the other combined powers? What, then, was to be expected to be the result of all this? Why, that the whole expence would eventually fall on Great Britain. He laid the more stress upon this, because the whole force of the right honourable gentleman's argument went to this point. When this came to be coupled with the avowed object of the war, the total destruction of the French government, the situation of this country was dreadful. If we should be of opinion, that our existence as a nation depended on that point, as the right honourable gentleman's argument maintained, and the other powers should follow the steps of the King of Prussia, then, for the sake of our own existence, we might be brought to pay for every man and every horse in Europe, employed against the French in the present dreadful contest. From our conduct in this war, it would seem as if we had been originally attacked in it, and Prussia not at all; as if France had attacked us in the East and the West Indies; and that the King of Prussia was only at war with France as our ally and assistant. But we all knew the fact to be otherwise, that the King of Prussia originally began it; and, for any thing we could now prove to the contrary, it was that very beginning of his which brought on the aggression made by the French on Holland, and which involved us in the contest. What does the King of Prussia say to us upon this occasion? Does he say, "Sorry I am that I have involved my friends in a disagreeable situation; that I have, without intending it, brought upon them the calamities of war; but now that I have done so, I feel myself bound, by every tie of honour and of justice, to double, nay, treble my efforts to get them out of it?" No: the language was this, "I have got Great Britain and Holland into this contest: they are involved in it at this moment from my adventure, and my dominions are more remote, and consequently not so immediately affected as theirs: I will discontinue my efforts, unless they chuse to bear my expences."

It was hardly possible for the mind of man to conceive a circumstance more odious, and more liable to suspicion of every kind, than this conduct of the King of Prussia: it had in it such materials, and was composed of a mixture of fraud, perfidy, and meanness, perfectly new to all modern political history. He had declared it to be our cause, and not his; and that he would proceed no further on his own account. So

infamous, indeed, had been the conduct of the King of Prussia, that it was impossible for any man of the least prudence to trust that court in any thing; and yet this was the court to which the people of this country were, by the proposal of the minister of the King of England that night, to pay 1,350,000*l.* for carrying on the war which that court itself commenced. What security had we, even after agreeing to pay this money, that the King of Prussia would not say, he had met with further difficulties, and make another demand of us, even in the course of this campaign? What confidence could we place in a person who had already betrayed all confidence? How did we know that the success of this application would not give birth to others? Though some might be disposed to blame them, yet in his mind Austria and Spain might come to us with a much better grace, with more honour, and with more reason, for a subsidy than Prussia.

All this while, however, it would seem that he was mistaking the thing altogether. It was not Prussia that asked this of us, it was we who requested Prussia to accept it. It seemed as if the existence of Great Britain, as a nation, depended upon this assistance of Prussia. This was called a day of good fortune to England. A day of "joy and satisfaction!" The right honourable gentleman, indeed, seemed struck with the words as soon as he used them, and on that account had endeavoured to explain them away; the explanation, however, was of a curious nature. It seemed that the existence of Great Britain, as a nation, depended upon this assistance of Prussia; and on this account it was matter of joy, that we possessed the means of affording this assistance. It might be compared, not to the case of a man congratulating his friend afflicted with a dreadful disease, that though the amputation of a limb might be painful in the operation, and perhaps doubtful in the event, yet that it would probably save his life; but it resembled the case of a man expressing to that friend his joy and satisfaction that there were no other means of saving his life. It might have been wished that the minister had possessed a better taste than to have selected such a topic as a theme of joy. It should have been spoken of as a scene of painful suffering, such as this country had seldom if ever before felt.

Having said this, he wished to know in what light we were to consider the situation of the King of Prussia in the war at this moment? It was at least extremely ambiguous. Had he ceased to be a principal or not? Indeed, the right honourable gentleman had given no information on that subject; for a good reason, because he had none to give. But he had thought proper to allude to other treaties, and to take

what he called a comparative view of them and of the present; and in doing this, he had recourse to a paltry quibble, that was unworthy of him. He was surprised that a man, pretending to any thing like intellect, or who had a mind of any size, should attempt it. He meant the allusion to the subsidiary treaty with Prussia against the power of Austria, in the year 1758, at a time when we were not actually at war with the House of Austria, though it was well known that at that period France was supporting the Empress Queen in Germany, and we engaged, in opposition to them, to espouse the interests of the House of Brandenbourg. To revert, therefore, to his question, he would ask, whether the King of Prussia was any longer to be regarded as a principal in the war, or not? If he was to be regarded as a principal, why was he to be treated with on the footing of a neutral power, or why were we to hire 30,000 men above those he was bound to furnish us with by treaty, merely to enable his Prussian majesty to display his thirst for military glory at our expence.

The next point to be considered was the command of the troops that were to be employed, and for which we were to pay the King of Prussia. The right honourable gentleman had said, it was proper they should be under the command of a prince so fond of military glory; now, he did not expect to hear that it was matter of "joy and satisfaction" to the people of this country, that when their money was voted for the maintenance of an army, some officer of their own was not to have command and controul over them: in the common course of common sense, it might have been expected, that those who paid them should command them, instead of giving the command to a person who had already given such very indifferent proofs of integrity. In the next place, however, we were informed, that this subsidized army was to be employed for British purposes, and that the conquests it might make were to be placed to the advantage of the maritime powers: but a very slight reflection would convince the House, that this boasted convenience was productive of no beneficial consequences; but, on the contrary, rather tended to retard than to accelerate the purposes for which the treaty had been made. The great object of all these treaties was, to enable the continental powers with whom we were connected to fight their own battles with effect, and to create so powerful a diversion on the side of France, as to hinder the full effect of her naval exertions. When this was understood to be the nature and effect of these alliances, every contracting party under the influence of private interest would naturally be disposed to the utmost exertion for the common

cause. But we were now so diffident of the zeal of our allies, that we were determined to make it entirely a British and Dutch concern; and yet to employ a monarch to act in our behalf, who took no interest in the issue of the enterprizes he might undertake. The right honourable the chancellor of the exchequer had been as perspicuous as he usually was in matters of detail, in his comparative estimate of the expence of this subsidiary treaty, and those which had been concluded between this country and the other German princes. But without examining into the minutiæ of these different treaties, he would only remark, that under the stipulations of the treaty of 1787, the King of Prussia was bound to furnish the King of Great Britain and the States of Holland with 32,000 men, for the sum of 600,000*l.* so that every shilling of the remaining part of the aggregate sum was appropriated to the payment and sustenance of the additional 30,000 men, which was at the rate of at least 12*l.* per man, exclusive of the 400,000*l.* which were to be paid to the King of Prussia before he began his march; so that upon the whole the sum of sixteen hundred thousand pounds was to be paid to this prince during the first nine months of our alliance with him.

On this part of the subject it was not, however, his intention to dwell any longer, as the terms of this bargain gave rise to inquiries of very inferior moment, when compared with those more important suggestions which arose from the general view of the subject, and the character and conduct of the party with whom we had formed this alliance. And here he would ask the House, whether the perfidious conduct of the court of Berlin to France and Poland was a sufficient motive to induce us to place implicit confidence in its future adherence to the faith of treaties? Or could we hope to derive much benefit from the protection of the King of Prussia, when his having ruined his own subjects, and exhausted his treasury, were assigned as the principal reasons for affording him this supply of money? He was also under some difficulty as to the extent of the engagements under which the States of Holland had come by the stipulations of this treaty: for, according to its tenor, we were bound, in the first instance, to pay the King of Prussia the whole of this sum, and had only the collateral security of Holland to the amount of 400,000*l.*, and the Dutch were only bound to make this payment for the course of the current year; whereas, by a separate article, we had agreed to continue it during the continuance of the war. The right honourable gentleman was, indeed, better acquainted with the resources of the States of the United Provinces than he could pretend to

be; but, could he give the House any assurance, that they could bear this expence for any longer period than the present campaign, however willing they might be to continue it farther? And however that might be, he was compelled to say, that amidst the general commiseration which he felt for every nation involved in this contest, he could not help feeling, in a peculiar manner, for the Dutch, because he was persuaded they were forced into the war against their inclination, and because otherwise they would have preserved their tranquillity by a candid and open negociation. At the commencement of the war, we were told that the Dutch were seriously aggrieved by the French. It was contended, that we were bound to maintain to the Dutch the exclusive navigation of the Scheldt. But did they complain of the infringement or aggression? Certainly they did not; they would, however, have complained; but such was their situation, and such their awe of the French, that they dared not. Now gentlemen began to speak more openly, and ridiculed those who could be so weak as to believe that these were the grounds of the war. One right honourable gentleman had exclaimed, "A war for the Scheldt! *une guerre de pot de chambre!* Do you really think so? Are you really such fools? Are you such ideots as to think that what was held forth in the king's speech, and in the address of this House in answer to it, as the pretences of the war, to be really the objects of the war?" Sir, (said Mr. Fox,) to tell you the truth, I am not that fool; for I never did think so; and I as much believe that ministers went to war for the exclusive navigation of the Scheldt to the Dutch, as they would for the mean object alluded to by the right honourable gentleman.

But, was it probable that this measure of subsidizing the King of Prussia would be in the end effectual? The different powers in the confederacy were in distressed circumstances already. If report spoke truly, this application for a subsidy to the King of Prussia was made to other powers before it came to us: others had had an opportunity of sharing in the glory of this day, but they had declined the honour; it was reserved exclusively for Great Britain. If report spoke truly, the Emperor had the offer of that honour. If report spoke truly, the King of Spain had the same honour. If report spoke truly, they were all unable to defray their own expences; even the Empress of Russia was in that situation. It was prudent of them not to engage to defray the expences of others, before they were able to discharge their own. It appeared now that Great Britain was engaged in a contest with such an enemy as the King of Prussia had described the French to be, and that she possessed such allies as the

Dutch excepted, could not afford to furnish one farthing for any external assistance. Even Russia, if she could be considered as an ally, possessed very insufficient finances. If Great Britain, therefore, was to supply all the wants of her allies; if she was to be the only power by whom resources were to be furnished, what wealth, great as he allowed the wealth of this country to be, would be adequate to supply such wants, and to furnish such resources? With those sentiments of the objects of the war, which the allies knew the government of this country to possess, it would be needless to higgle about the amount of a subsidy; for as the assistance of the allies was contended to be necessary, they would themselves settle the amount of such subsidies, and, according to the arguments of the right honourable gentleman, their demands must be complied with, whatever those demands might be.

After adverting to a part of the right honourable gentleman's speech which, he contended, furnished him with a supposition that the subsidy to Prussia had been foreseen at the period when the budget was opened, but that the minister had been disappointed in the expectation of the amount of the subsidy, Mr. Fox next touched upon the expences of the war. The present year, he contended, would be a more expensive one than this country had ever experienced. It could be considered, however, only as the first year of the war, and the committee might be assured, that the expence would increase every year during the continuance of the war. When the people took this into their consideration, when they considered the great scale on which taxes had been imposed this year, and the load that would be laid upon them next year, when they reflected, too, upon the principle of subsidizing all Europe, the present day, he believed, would be to them a day not of "joy and congratulation," but of real national concern. They would see, that if the present system were persevered in, this country would at length be reduced to the exhausted state in which Prussia now was, but that, unlike Prussia, she would have no Great Britain to recur to for assistance, no credulous dupe to supply her wants; she would find all her allies equally, perhaps more exhausted than Prussia, who, he believed, was even now not the poorest of them. He for his part thought, perhaps, more highly of the resources of this country, than the most learned man who had ever yet spoken or written upon them; but as an honourable friend of his (Mr. Whitbread) had said, they were like every thing else in human affairs, not infinite but finite, they ought not therefore to be opposed to expence that was infinite. He then advised the committee to think

of the probable effect on the people of a great accumulation of taxes, in the prosecution of an object which appeared to him to be unattainable, namely, success in the war, according to the present avowed object of it, — the total destruction of the government of France. For these reasons, he should move by way of amendment to the present resolution, "That the sum of 1,150,000*l.* be inserted instead of 2,500,000*l.*"

The amendment was negatived, on a division, by 134 against 33, and the original motion agreed to.

May 2.

The resolution being reported to the House,

Mr. Fox said, that after having delivered his sentiments upon this subject in general, he should at present confine himself to a few points. He thought that the House had at least a right to be distinctly informed in what situation the King of Prussia stood with regard to the present treaty; whether merely as a prince, who hired out his troops to fight, in a cause in the event of which he was not interested; or whether we had entered into this treaty with the King of Prussia as a person interested and engaged as a principal in the war, but who was unable to prosecute it further without pecuniary assistance. In either of these points of view, the present treaty appeared to him ridiculous and improvident. If the King of Prussia was to be regarded in the first light, as a prince who hired out troops, was it not a circumstance unprecedented, that the command should not be in the persons who subsidized those troops; especially when the troops so hired cost more than troops in a similar situation had ever done?

Mr. Fox said that he should at present confine himself merely to the question of expence; not that he approved of the other parts of the treaty, but because they had been already debated. We were to pay for these 30,000 troops, if we kept them a single year, 1,600,000*l.* If the war lasted another year, certainly the expence would be somewhat less, because the sum of 400,000*l.* for out-fit and return, would be spread over two years, and then it would be 1,400,000*l.* per annum. If for four years, it would be 1,300,000*l.* spreading the expence of out-fit and return over the whole time, which, upon comparison, would be more expensive than the same number of Hessians or Hanoverians. It was to be remembered, also, that we retained the entire command and

disposition of the latter; but of these Prussian troops we were to have neither command nor disposition; and the execution of all the projects, though for British purposes, was left in the King of Prussia's hands. If we looked at any other treaty, we should find that the price to be paid under this present treaty was larger than we had ever paid for the assistance of troops over which we had had the entire command; and as we were to have no command whatever over them, the price was enormous indeed. On the other hand, if we considered them as the troops of a prince engaged in the war, we must naturally look to the late treaty entered into with Sardinia. By that treaty 50,000 men were to be supplied for the support of the common cause, for which we paid but 200,000*l.* If we were to pay in proportion to this subsidy for 30,000 troops, the expence would be no more than 120,000*l.* but, instead of that sum, we were to pay 1,600,000*l.* In 1756, we subsidized Frederick the Great, uncle to the present King of Prussia: let us compare the terms of that treaty with the present: he was to furnish 150,000 men, for which we were to pay 670,000*l.* According to this rate, we should pay for 30,000 troops, to be furnished now, about 135,000*l.* instead of the enormous sum of 1,600,000*l.* For gentlemen were to consider, that this sum was not paid for 62,000 men; because in that number were included the 32,000 men stipulated for by the former treaty of 1788. Waving that consideration for a moment, for the sake of argument, let them compare these treaties, and see how they stood. When the 600,000*l.* to be paid under the treaty of 1788, was added to the 1,600,000*l.* it made a sum of 2,200,000*l.* which we were to pay instead of the sum of 220,000*l.* which should be paid at the rate of the treaty with the late King of Prussia; or 240,000*l.* which was the extent of what should be paid at the rate of the late treaty with Sardinia. Instead of paying 220,000*l.* as in the one case, or 240,000*l.* as in the other, we profusely squandered away the enormous sum of 2,200,000*l.*; so that in the one calculation this treaty, as compared with others of a similar nature, was in this latter statement ten to one against us: in the former, which was the true statement, it was fourteen to one against us.

But from the ambiguous situation of the King of Prussia arose other difficulties. When the question between us and that monarch was a question of expence, he said, "I am not so much interested in the event of this war as you are; you shall therefore bear the whole of my expence." But when it became a question of who should command the troops, or to what objects they were to be directed, he would immediately say, "I am a principal in the war, and equally interested in

its consequences with you; I can as well judge of the effect of its operation to our mutual benefit; and will have the sole command over my own troops." Such conduct was really intolerable: it was a tricking, shifting, shuffling behaviour in this prince, acting, no doubt, by the advice of his council; but that was no reason why the people of Great Britain should become the dupes of such knavery. He, for his part, wished to have the situation of the King of Prussia fairly stated: if he were a mere hirer of men, never was there such audacious, impudent conduct, as to insist on the command and disposal of the troops he had let out for hire. If, on the other hand, he was a principal in the war, whom we subsidized, the present treaty, compared with others of a similar nature, was, according to one calculation, fourteen to one, and, even according to the most favourable, ten to one, against this country. He therefore hoped that gentlemen would a little consider how far they could answer to themselves, and to their constituents (he did not mean their particular constituents, but all their constituents in the general sense of the word, the people at large,) for having in a few days voted such an enormous sum of money, without any possible opportunity of conversing with them on the subject. He wished to ask them, if they could consider themselves entitled, by such conduct, to the character of faithful stewards? It was too much, that the wealth of this country should be so profligately squandered, to answer the unprincipled rapacity, or contemptible finesse, of any prince or court in Europe.

The resolution was agreed to by the House.

KING'S MESSAGE RESPECTING SEDITIOUS PRACTICES—SUSPENSION OF THE HABEAS CORPUS ACT.

May 13.

ON the 12th of May, the following message from the king was delivered to the House of Commons by Mr. Secretary Dundas:

"G. R.

"His majesty having received information, that the seditious practices which have been for some time carried on by certain societies in London, in correspondence with societies in different parts of the country, have lately been pursued with increased activity and boldness, and have been avowedly directed to the object of assembling a pretended general convention of the people, in contempt and defiance of the authority of parliament, and on

principles subversive of the existing laws and constitution, and directly tending to the introduction of that system of anarchy and confusion which has fatally prevailed in France, has given directions for seizing the books and papers of the said societies in London, which have been seized accordingly; and these books and papers appearing to contain matter of the greatest importance to the public interest, his majesty has given orders for laying them before the House of Commons; and his majesty recommends it to the House to consider the same, and to take such measures thereupon as may appear to be necessary for effectually guarding against the further prosecution of those dangerous designs, and for preserving to his majesty's subjects the enjoyment of the blessings derived to them by the constitution happily established in these kingdoms."

On the following day Mr. Secretary Dundas having presented to the House the books and papers referred to in the said message, Mr. Pitt moved, "That an humble address be presented to his majesty, to return his majesty the thanks of this House for his most gracious message, and to assure his majesty, that this House will, immediately, take into their serious consideration the subject recommended to them in his majesty's message, and will adopt such steps as may appear to them to be necessary on a matter of such high importance to the safety of his majesty's dominions."

Mr. Fox said, he did not rise up for the purpose of opposing the present motion, as he conceived it to be in some sort a thing of course, but merely to say a few words preliminary to his acceding to it; and he was the less inclined to oppose it, as he conceived that his assent in no way precluded him from exercising his right to discuss the various subjects referred to in the message when they came before the House; and that the questions, Whether the object before them was properly fit for their investigation? What the means were by which the papers were procured? Whether the seizure of them was constitutional and legal? And whether the mode of collecting the information respecting them were justifiable? were still as open to the investigation and discussion of himself and every other member, as if they refused their assent *in limine* to the address. But what he chiefly wished to remark was, that if the papers were sealed up, and their contents therefore unknown to the House, he thought it would be rashness to refer them to a secret committee, unless precedents were first adduced upon which to ground such a measure; for of all modes of proceeding, the steps which had been adopted in the present case seemed to him to be those which it was most necessary to watch over with vigilance.

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The address passed *nem. con.*, as did also a cover to that the books and papers be referred to a committee. ish convett next moved, "That the said committee be a committee of secrecy."

Mr. Fox said, he hoped that the right honourable gentleman who made the motion, would either support it by some precedent, or demonstrate that there existed such a distinction between this and former cases, as should induce the House to have recourse to new modes of proceeding unsanctioned by precedent. With regard to the argument urged by the right honourable gentleman in support of his proposed mode of inquiry, namely, the fear of discovery defeating the objects of it, he would only say, that those objects not being sufficiently defined or expressed, could form no ground of argument. Was the object prosecution? Prosecution was already in the hands of the crown, who seemed desirous of calling upon the House to take their part in it. He wished to know what the object of the crown was. He could not suppose it was impeachment; for though he would always maintain the inquisitorial right of that House, he thought that impeachment could not properly come from the crown. He could not, therefore, see why the committee should be a secret committee; yet if, as he had said before, the right honourable gentleman could either cite precedents on the one hand, or mention on the other, grounds sufficient to warrant a deviation from all rule, he would not object to it.

The motion being put and carried, Mr. Pitt moved, "That the number of the said committee be twenty-one."

Mr. Fox said, he had no objection to the number; twenty-one was, perhaps, as proper as any other; but there were some things which he wished to know respecting this transaction. He was particularly desirous to be informed, what had been the mode of obtaining those papers? For there was an ambiguity in the words of the message, which left him at a loss to determine respecting that particular; and he therefore wished to know on which of the grounds stated in it the seizure of the papers had been made? Was it only on the ground of the seditious practices, or on an allegation that the persons implicated had entered so far on the execution of the plan of a general convention as to be guilty of an overt act of treason? As a member of the House of Commons, and a friend to the constitution, he respected the opinions of parliament; and it was a resolution standing on the journals of that House, that seizing the papers of a person accused of a libel was illegal, founded on the principle, that such an extreme of the could not be taken unless there was an actual allegat and boldnson or felony. He therefore insisted, that by the rembling a of that House he was warranted in saying, that seizingnd pers for seditious practices, or for any thing

short of treason, was illegal. If, then, the present seizure was made on an allegation for seditious practices alone, it was, according to the declared sense of the House, illegal: if otherwise, it might be legal. He therefore wished that the House was informed which it was. The case he alluded to occurred, he said, in April 1766. It was discussed and determined on the generality of the warrant. He therefore pressed ministers to give an answer to the question he had put, as he was averse to countenance any thing that might militate against the resolutions of that House.

Mr. Secretary Dundas said, that what the substantial grounds of seizure were, the House would judge on inquiry; but he would at present solve the right honourable gentleman's doubts, by telling him, that the warrants were grounded on allegations for treasonable practices. The motion was then agreed to.

May 16.

This day Mr. Pitt presented to the House the first report from the committee of secrecy. He stated at great length his view of its contents. It appeared to the committee, he said, that a plan had been formed, and was in forwardness, to assemble a convention of the people; which was to assume the character and powers of a national representation, and to supersede the authority of parliament. A mere parliamentary reform was not the real aim of these societies: their papers would make it evident, that they had been during the two last years, leagued in a correspondence with other societies in this and a neighbouring country; from which the clearest inference might be drawn, that a convention, such as described, had been their original view; and that they were only waiting a fit opportunity to realize it. The report, he said, would shew that a correspondence had subsisted between these societies and the jacobin club; that they had sent delegates to the convention at Paris, which had formally received them; and that when the French jacobin government commenced the war against Great Britain, these societies had to the utmost of their power acted an hostile part, manifested an adherence to the same cause, assumed their expressions and appellations, and laboured to disseminate their principles. It was chiefly in the manufacturing towns their efforts were greatest, from the number of ignorant and discontented people with which they abounded. Notwithstanding their endeavours to conceal their intentions at times, they had not been able to disguise them at others. In one of their letters, that to the society at Norwich, they plainly intimated that they looked for no reform but from the convention they had in view, advising, however, a continuance of petitions for reform, as a cover to their designs. They had the audacity to style the Scottish convention a legal representation of the people; and to justify those whom

the law had sentenced to punishment. The condemnation of those men was the signal at which they had agreed to come finally to an issue upon the point, whether the law should frighten them into compliance, or whether they should oppose it with its own weapons, force and power. This society, however despicable, and consisting of the lowest of the people, had found the means of a most expeditious and extensive increase: it counted thirty divisions in London only, some of them amounting to six hundred individuals; and it kept a regular correspondence with many others, systematically distributed through various parts of the kingdom, particularly in the manufacturing towns. It had audaciously assumed the task of watching over the transactions of parliament, and of limiting boundaries to its powers, threatening destruction if it dared to transgress them. It was no longer than six weeks, he said, since the corresponding society had laid before the constitutional society a scheme for calling together a convention of the people, manifestly for the purpose of dissolving the government, and lodging the supreme power in their own hands. This was to have been executed in a few weeks. The addresses they had drawn up to this effect were circulated with the utmost care and expedition: they had chosen a central spot (Sheffield,) in order to facilitate the assembling of delegates from all parts; and every society was requested to transmit an estimate of its numbers, that the strength of the combined societies might be exactly known. These wretches, said Mr. Pitt, expected, by following the precedents of the jacobin principles and practices to arrive at the same degree of power. They had, no longer since than the 14th of April, held a consultation, wherein the members of every department of the state had been most scandalously villified, as unworthy and incompetent to hold their official situations. The report, he also said, mentioned that arms had been actually procured and distributed by those societies. In consequence, therefore, of the informations contained in this report, he would move for a suspension of the habeas corpus act, as particularly necessary when a conspiracy existed in the heart of the country. Mr. Pitt concluded with moving, "That leave be given to bring in a bill to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government."

Mr. Fox rose and observed, that however unpleasant it was for him to attend that day in the House on account of indisposition, he had thought it his duty to do so, on being told that the report of the committee of secrecy was to be made; for in the course of that report he had expected to have heard something new, and something that might call for the immediate attention of the House. He had listened with all the attention he was master of to the report; and he must confess he never was more surprised in his life, than that those who framed the report, men of such talents and character, should have thought it necessary to recommend so

sudden, so violent, so alarming a remedy as that which had been proposed; a proposal grounded upon facts that had been, all of them, notorious for years. He was aware there was some part of it which stated to be something new; but of that he should say something presently. He was surprised, however, that the committee should call the attention of the House so solemnly for the purpose of telling them that two years ago a society had come to certain resolutions, which were published in every newspaper in the kingdom; to tell the House in a pompous, public, formal manner, what had been presented to the national convention of France, and what answers had been given; to inform the House in detail what administration had seen passing before them day after day, and then to call on the House for its immediate consideration of the probable effect of such events, and of the necessity of putting an end, by the most violent of all means, to what had so long been suffered to pass in silence. The report, however, was not a mere report of these stale, ridiculous, contemptible facts; it stated also an inference arising out of them. He could not arrive so readily as the right honourable gentleman at a conclusion upon these points, taking them all to be exactly as they were related. He begged leave to differ from him and from the whole of the committee upon that subject: he thought the inference of the committee unfair: he would go further, he thought that taking, for the sake of argument, the inference to be fair, that would not warrant the measure proposed. He should not go into the question whether these persons had acted consistently or not; that was not matter for consideration then; through the whole course of the business they had wished for a convention, for the purpose of legally obtaining a parliamentary reform. The convention at Edinburgh had been taken notice of; that convention, in all its proceedings published in the newspapers, had uniformly stated their views to be not to oppose the power of government, but to seek redress of grievances. With regard to conventions of this sort, was the right honourable gentleman prepared to say they were seditious? He did not know that the right honourable gentleman was a member of any former convention, but he himself certainly was a member of one in the year 1780; they were chosen as delegates, and had several meetings in London and Westminster afterwards; and if that was illegal, all he could say was, that they carried on their proceedings with great imprudence, for they went on in the most public manner, and held correspondence publicly with societies in Yorkshire and other places; they presented the result of their labours to the House; the House refused to recognise them in such a character as delegates,

but said that they had a right to petition as individuals, and therefore received their petition. He mentioned this merely to shew that such a convention was legal. Never till lately had such a measure been thought either against the letter or the spirit of the constitution. If it had been illegal, the minister had been scandalously negligent, and so had many others. A scandalous negligence must have attended the obtaining a free constitution for Ireland. A scandalous negligence alone could have suffered the Roman catholics of Ireland to obtain what was lately granted to them, for it was by a convention they had succeeded in obtaining their late privileges. His majesty had received them in the capacity of delegates, and granted their request. Happy was it for them, and happy for a great part of the rest of the world, that such an event had happened. His majesty had received them with that benignity which belonged to his character; but would it be contended, that the Roman catholics would have gained this object, if it had not been for a convention? He, indeed, well knew what extraordinary things were attempted by those who were supported by great numbers. Let gentlemen look to the rejection of the Roman catholic petition: in the first application of the Roman catholics to parliament there were only about five and twenty in its favour; but how differently were they received the next year, when they were so supported, and when they appointed a convention of delegates! After that, would any man say that he had a doubt of the means by which this had been effected? But, when he made this remark, was he consequently saying, that the proposed convention in the present case would be meritorious? No such thing: he was giving no opinion upon that subject; he only said, that it would be dangerous for that House to declare its illegality. There was not any other charge against these persons, than that they might of their own authority make an attempt to alter the form of parliament; now, he asked, if any gentleman was prepared to say, that that very convention would not apply to parliament for a parliamentary reform?

With respect to the number of these persons, he really believed that it was not very considerable. That they had increased since their first formation, he had no doubt; for it would be strange, if the measures of administration had occasioned no dissatisfaction in the country; it would be wonderful in our history indeed, if a war of two years, carried on upon such principles, and attended with such disastrous circumstances, had not excited a spirit of discontent and resentment against the authors of those calamities. He would go further, for he would not be intimidated; many internal

circumstances, many things had taken place, to which he could never subscribe; the punishments lately inflicted in Scotland were of the same nature; he did not approve of any of these things; on the contrary, he agreed with those who thought these proceedings an abuse of the power of government, an abuse of law, an abuse of justice, an outrage to humanity, and likely to tend to alarm every man in England who had the least esteem for the principles of liberty; since, if these proceedings should become general, there was an end of all liberty.

With regard to the nature of the convention which had been so much talked of, Mr. Fox said, he must make one observation. Against whom, he would ask, was this thunder of government levelled? Was it against men of influence? No. Such a convention could have no influence, and it would be ridiculous in government to stop them. The constitution had too many admirers, had too many defenders, to have any fears from the attempts of such men. But if government did really believe that they meant to form a government of themselves, could they be so mad, so absurd, as to suppose that they would be joined by any body sufficiently numerous to create any serious alarm? Surely not. For his part, he solemnly believed, that if a hundred men were to assemble together, and presume to dictate laws to the rest of the community, there could not be found another hundred who would be willing to join them. This constitution had too many defenders, too many well-wishers, to fear any such paltry attempts to overturn it. But he should suppose this convention assembled by Mr. Hardy and Mr. Adams, and that they entertained the views ascribed to them; he would then say, that the measure now proposed was of infinitely greater mischief to the people than that which it proposed to remedy. Were the House aware of the extent of this measure? It was no less than giving to the executive authority absolute power over the personal liberty of every individual in the kingdom. It might be said that ministers would not abuse that power. He must own for his part, that he did not feel himself very comfortable under that reflection; every man who talked freely; every man who detested, as he did from his heart, this war, might be, and would be, in the hands and at the mercy of ministers. Living under such a government, and being subject to insurrection, comparing the two evils, he confessed he thought the evil they were pretending to remedy, was less than the one they were going to inflict by the remedy itself. We were going to give up the very best part of our constitution; and that which every man was entitled to do, and which he was now doing — delivering the

sentiments of his heart upon the affairs of government, for the benefit of the public, would be at an end at once. Might he not then say, that there was an end of the constitution of England.

But was there any instance on such an occasion, of such a measure? Such a measure had been adopted in the reign of King William. Was that similar to the present reign? The same measure had been adopted in the time of the rebellion in 1715, and again in 1745. Were the circumstances then similar to the present? At that time there was an army in the kingdom in favour of a popish prince, claiming a right to the throne; and that too, if we were to credit report, at a time when the people were a great deal divided in opinion as to the propriety of the succession of the house of Hanover. Was there any such prince now? Were there any such circumstances now? Nothing like it. Here we saw a number of individuals without arms, without means of any kind whatever, talking of a reform in parliament. Such being the circumstances, he must say, that the House would betray its duty to the constitution, if it should agree to the present measure. Having said thus much, he had but one thing more to submit. He was exceedingly surprised at the precipitation with which this business was brought forward; he conceived that a few days could make no difference, and that the right honourable gentleman could have no objection to a call of the House on a question of such magnitude. Was the danger so imminent, that a number of members must be deprived the privilege of delivering their sentiments upon so alarming an exigence? Could one fortnight make such a difference? Was the danger so great, as to exclude all possibility of deliberation, and compel the House to run headlong into the snare which the timidity or temerity of the minister had prepared for them? For his part, detesting equally the endeavour to intimidate, as the endeavour to enslave, he must feel it his duty to oppose the leave for bringing in the bill. He saw that a fancied terror had intruded itself upon the faculties of several members, and that they were prepared to sacrifice their duty to notions of supposed expediency and groundless alarm. Having an invincible objection to every species of delusion, he for one should enter his decided protest against the proceeding about to be adopted. He saw this measure in so dreadful a point of view, that he should consider himself as betraying his constituents and the public, if he did not oppose it in every stage. It was a measure that went to overturn the very corner-stone of the constitution, and which surrendered to ministers the personal freedom of every man in the kingdom.

The motion for leave to bring in the bill was supported by Mr. Burke, and opposed by Mr. Martin, Mr. Lambton, Mr. Harrison, Mr. Grey, Mr. Jekyll, and Mr. Sheridan. Mr. Grey reprobated the motion in the strongest terms. He expressed his great surprise that any measure of any sort could be founded on those trumpery papers alluded to in the report, all of which had been published long ago, and, if worthy of notice, ought to have been attended to last year, when at the meeting of parliament there seemed to some gentlemen to be so much cause for alarm. On a division the numbers were:

	Tellers.			*Tellers.*	
YEAS	Lord Mulgrave, Mr. Buxton	201.	NOES	Mr. Grey, Mr. Sheridan	39.

Leave was accordingly given to bring in the bill. After which Mr. Grey moved, "That this House be called over on this day fortnight." He remarked with much severity on the indecent haste with which the bill was pressed through the House. Even the gentlemen who voted for the bill, he was well assured, were not aware of the extent of the measure until they heard it proposed by the chancellor of the exchequer. Mr. Pitt said, that as the bill required all possible dispatch, he would oppose the motion as calculated but for vexatious delay.

Mr. Fox supported the motion of his honourable friend. He could not but notice, he said, the tone of exultation in which the right honourable the chancellor of the exchequer dwelt on a measure, which, if actually necessary, should be noticed by all as a serious calamity. He dared that right honourable gentleman — he dared the whole committee — to say, that there was any such thing in this country as an armed insurrection. If there was not, he contended that the delay of one week could make no material difference as to the object in view: if the object was punishment, there must be guilt, and the present laws were fully adequate to that: if it was merely to prevent the escape of a few guilty persons from justice that this unprecedented measure was called for, he maintained that it was scandalous for a single moment to surrender the liberties of the whole kingdom on such an account. He lamented that the old established laws known to the constitution had not been applied to the evil, if any existed; for it was an infamous libel on the constitution to say, that it was only able to maintain itself in times of peace and tranquillity, but must be surrendered in times of danger and difficulty. He wished to know for what length of time this suspension was to continue, or how it could possibly be necessary? At a time when we were engaged in a war upon such honourable principles, that it was approved by the whole kingdom — at a time when there was the most popular administration that ever governed in this kingdom, who

had on every occasion a majority of ten to one — was it at such a time, that we found it necessary to suspend the habeas corpus act, from the apprehension of an insurrection in the heart of the kingdom? He contended, that the pretences brought forward to support this measure were the most flimsy and barefaced he had ever witnessed, and the measure itself the most daring and impudent. It was true, that since terror was the order of the day (to use a French mode of expression) those opinions might be awhile stifled, but they would but rankle in secret; curses would follow, "not loud but deep," and what might be the final event no man could say! After this measure should have passed, he doubted whether it would be of any utility for those who acted with him to continue their opposition in that House. This was the moment for the House to pause and deliberate, before they gave up that privilege which might deckle, whether it would be worth the while of any member to attend a discussion within those walls.

"Tempus inane peto, requiem spatiumque furori."

If violences should succeed, he should feel the consolation of having done every thing in his power to avert the impending evil from his country — that to his latest moments would be his consolation; and he did not think in case of any disturbance, that one head in that House would be more secure than another.

The House divided: Yeas 32: Noes 201. After which the bill was immediately brought in by Mr Pitt, read a first and second time, committed, and at three o'clock on Saturday morning reported, and ordered to be read a third time at three that afternoon, if the bill should be then engrossed.

May 17.

On Saturday afternoon the House met again, when the motion for the third reading of the bill being put, it was strenuously opposed by Mr. Grey, Mr. Lambton, Mr. Courtenay, Mr. Sheridan, Mr. Curwen, Mr. Jekyll, and Mr. Fox; and supported by Mr. Canning, Mr. Windham, Mr. Dundas, Mr. Pitt, and others. Mr. Windham in the course of his speech observed, that it could not be reasonably denied that sufficient proofs had been adduced of a conspiracy to overthrow the constitution. The principle of universal suffrage, he said, was alone a source of the most lamentable evils, as France could amply testify. The mild conduct of government having failed of putting a stop to the licentious proceedings of ill-intentioned individuals, it was time to employ severe methods; and if those did not produce the end proposed, stronger and severer

measures still must be adopted. The evils threatened must be obviated at all events; and if the laws in being were inadequate to that purpose, others more effectual ought to be framed. As soon as Mr. Windham had sat down,

Mr. Fox rose and said, that he should not have troubled the House with any further observations on the subject of the present bill, after having given his opinion so fully upon it the night before, but for the very extraordinary topics which had been introduced by his right honourable friend (Mr. Windham.) If he had expressed himself warmly on the subject of that bill, he begged leave to say, after the most mature reflection, that he did not repent of such warmth. He desired to be considered as repeating and confirming every assertion. It was a bill characteristic of the worst times, and which, he feared, predicted much calamity to the country. We were hurrying into that most dangerous and alarming predicament, which would produce either the horrors of anarchy and confusion on the one side, or that despotism of monarchy, which Mr. Hume called "the euthanasia of the British constitution" on the other; in either of which cases he saw the complete extinction of liberty; and he dreaded to think what must be the shocking alternative which he, and others who loved the true principles of the constitution, must be reduced to in the impending struggle. The bill was characteristic of those violent times, when, instead of being guided by reason, we were to be put under the dominion of wild passion, and when our pretended alarms were to be made the pretexts for destroying the first principles of the very system which we affected to revere. Every warm expression, therefore, which he had used the night before, he now upon reflection justified and repeated; and even yet, while a moment was left him, he deprecated the horror of passing the bill into a law.

Mr. Fox said, he would pass over all the lesser topics of the speech of his right honourable friend, in order to come to that most portentous part of it, which had made an impression upon his mind never to be effaced, and which foretold the destruction of the British constitution. It was an argument, upon which if the present measure was really founded, that he hoped would even yet make the House pause before they proceeded further. His right honourable friend had said, that to the existing evil of the jacobinical doctrines, remedies ought to be applied in gradation. From mild remedies he would proceed to remedies less mild, from less mild to severe, and through all the degrees of severity. What by this argument was he to think of

the present measure, but that it was only one step in his ladder, and that if that should fail of producing its effect, he had still remedies more severe in reserve. The right honourable gentleman had tried already his gentle remedies; the alien bill was an anodyne, the treasonable correspondence bill was also a gentle medicine; and as these remedies had failed of producing the proper effect, nay, as by the king's speech it was said, that, notwithstanding these measures, the evil still existed with increased malignity, he was about to try this severer remedy; with the declared intention that if this should also fail, he had still more violent measures to pursue. When the experiment should have been made, and proved, like all the former, to have failed of producing the effects expected from it, he desired to know what must be the answer to this question, if, next year, enough of the constitution should remain to enable him to put a question to the right honourable gentleman in his place — what would be done beyond this? After suspending the habeas corpus act, what would he do more? Would he prohibit all meetings of the people so as to debar them from all discussions on political subjects, and prevent all free intercourse between man and man? And when this should be found ineffectual, would he give to ministers the power of making arbitrary imprisonment perpetual? Would he still further go on in the exact and horrid imitation of the men who now held France in anarchy, and establish a revolutionary tribunal, or what, perhaps, he would call an anti-revolutionary tribunal? Where would he stop? What limit did he propose to make? Was there no end to his plan of securities, until he should accomplish the end of annihilating all doctrines that he might affect to dread, or destroy all the disaffected spirits which he might pretend existed in the country? It was of consequence to the House to see what they were doing. They were told that what they had done was not enough; and that even this might not be enough. Good God! what was to be done after this? Under the colour of pretended alarms, were they to go on to an unlimited infringement and demolition of all the strongest and most beautiful parts of the constitution? The right honourable gentleman was offended at the comparison that had been made between the conduct of ministers and their adherents, and the conduct of the present rulers in France, and he had with great felicity quoted from Captain Fluellan the comparison between the river in Macedon and the river in Monmouth, because there was salmon in both. But with all respect for his wit, the right honourable gentleman must be content to incur the imputation of similarity, when his own conduct and that of the rulers of France was so similar. They had taken great pains to throw odium on the pretended de-

signs of a convention, on account of the word convention. Let gentlemen look at their own conduct, and see if it was not in substance the same as that of the present rulers in France. What was the conduct of those rulers? From day to day they circulated stories of alarms, and plots, and conspiracies, and insurrections among the people, to inflame and agitate their minds, and to spread panic and terror over the whole country, that they might take advantage of their fears, and obtain unlimited power, to be exercised in carrying on and confirming that very terror. They inspired the double alarm of danger from conspiracy, and danger from the exercise of their own unlimited power, exerted as it every day was, in the most shocking murders, with hardly the aspect or form of judicial trial. What was the conduct of the ministers here? Precisely in the same manner they circulated stories of alarms and conspiracies, to fill the public mind with fear, and, to use the jargon of the French, to make terror the order of the day. By spreading these false and idle alarms, they succeeded in obtaining powers destructive of the constitution, which, as in France, were to be exercised with such inhuman rigour, as to keep the country in double awe, and, by fostering indignation and discontent, give rise again to new jealousies, which would afford occasion for still further stretches of power. Thus they followed the example set them by the men whose doctrines they pretended to abhor, with the most shocking fidelity. Every part of their conduct was built on the French model, and he dreaded that it would be productive too certainly of the same effects.

The precise question for the House was, to compare the danger with the remedy. The pretended danger was, as we might collect from the documents that had been laid upon the table — documents that every one had seen published in the newspapers — that there was in certain societies a tendency to a convention. Whether the word convention was a bugbear that was to be held up to terrify their imaginations, he knew not; but it was of consequence to inquire a little into the nature of the thing, and not to be startled at names. A convention, he supposed, meant no other than a meeting of the people; and if that meeting was for the discussion of any subject of general interest, in a legal and peaceable way, there certainly was nothing in such meeting that could either call for or justify any such measure as the present. To a convention that had for its purpose to overawe the legislature, and to obtain any object, either of universal suffrage, or other wild and impracticable theory, he should not certainly chuse to give his countenance. But if there was a convention either of individuals for themselves, or of delegates of towns and dis-

tricts, for the purpose of striving, by petitions and addresses to the three branches of the legislature, to put an end to the present most ruinous and unprovoked war, he should certainly neither be ashamed nor afraid—at least not until after the present bill had passed into a law—to attend, and be a member of such convention. But what was to be dreaded from even the convention that was threatened, which the laws of the country were not of themselves sufficient to check? If they meant, by their intended convention, to overawe the government of this country at a moment of such unprecedented strength as the government now possessed, he would say that they were fit for Bedlam, and for Bedlam only. So perfectly and entirely was it possible for magistrates, in every part of the kingdom, to execute the laws, that he would venture to say, that if any man, or men, at such convention, committed any illegal act, he or they might be sent to prison, and tried for the offence as securely as if no convention existed.

The danger, then, called for no such remedy; and it was not because any such remedy was necessary that the present bill was introduced. It was to keep alive the passions of the people; it was to agitate and alarm their minds, to put them under the dominion of terror, and take from them the exercise of their rational faculties. Ministers knew well the dangerous predicament in which they stood: they had weakly and, as he thought, wickedly, involved the country in a most disastrous war; every day plunged them deeper and deeper in the fatality which they had brought upon their country; they saw no hopes of extricating the nation from it with honour, nor of proceeding in it with success, and they dreaded all reflection on the subject: they knew that they had no safety but in depriving the people of repose; they knew that if the alarm should be suspended for a moment, and if men were allowed time and leisure for the exercise of their understandings, the war, and the principles on which it was undertaken, would be scrutinized and discussed. They dreaded to encounter so hazardous a trial, and all their measures had been directed to keep alive an incessant commotion, so as to suspend every operation of the public intellect. For this reason a subscription had been set on foot; he said "for this reason," because ministers had been open enough to acknowledge that it was not for money. It was, they had declared, to excite the zeal of the people. Zeal was one of those fervent emotions which would be favourable to their views, and which, while it lasted, would keep them from examining the objects of it. But the subscription, he supposed, had not succeeded to the hoped-for extent; that zeal

which they had aroused was not equal, apparently, to the occasion, and they now strove to awaken a more powerful emotion, that of terror. In short, it was a government of passion, a government in which ministers strove to lull asleep all the sober operations of the mind, and to awaken only the fears and terrors of the heart. Reason they dreaded, for reason was their enemy. It was well said by a philosopher of great character, that all men dreaded reason who acted against reason; and certainly it was natural, and in the order of things, that animals, which, by their practice, counteracted the natural course and dictates of reason, should shrink, and dread as their enemy those who seemed to be guided by its wisdom.

It had been said that the secret committee had been spoken of in terms not the most respectful. He, for one, certainly could not speak of some members of that committee without expressing his high respect and regard for them. He was not among those who gave up their personal friendships on account of differences in political opinion. A noble lord near him (Lord George Cavendish) had, in very affecting terms, deplored the circumstance, that in the present moment, he differed from men so near and dear to his heart, as to make him feel it like differing from himself; so, he might say, that for some of those persons, though he had not ties of consanguinity, he felt so sincere a regard, and so poignant a regret at differing from them, as to make it like a parting from himself. His early habits of respect, his warm affections, all led him to this feeling; but the present was not a time to compliment men, or to shrink from the severe duties which conscience imposed, from recollections of tenderness and esteem. He must say, then, however highly he regarded some individuals of that committee, that it was made up of two characters; men who were dupes themselves, or men who were willing to dupe others. Their whole report was trifling and inconsequential; it told nothing which every man did not know before; for the last assertion about arming, the right honourable gentleman had said, was merely supplemental, and was not to be taken as a component part of the report. Then, what did the report consist of? Of a collection of papers, which had all been seen by the public, and which, if they did contain any danger, was not a danger of that day. It was known by every one, and steps might have been taken on the subject months ago. Their avowed intention was to procure a system of universal suffrage; and this the right honourable gentleman said was what had destroyed France. However freely he might be disposed to agree with him, as to the wildness and impracticability of universal suffrage, he must doubt of the fact of its having been the cause of the destruction of France. On

the contrary, universal suffrage was to be considered rather as the effect than the cause; for the book of the right honourable gentleman (Mr. Burke) which had produced such enormous and fatal effects in England, had charged upon the French, that they had not acted upon their own principles, but had narrowed the suffrage in a way totally inconsistent with their own doctrine. But were we to argue theoretically or practically from the example of France, which the right honourable gentleman so incessantly presented to them? Was every man who had liberty in his mouth to be considered as a traitor, merely because liberty had been abused in France, and had been carried to the most shocking licentiousness? He would venture to say, that if this was to be the consequence, fatal, indeed, would it be for England! If the love of liberty was not to be maintained in England; if the warm admiration of it was not to be cherished in the hearts of the people: if the maintenance of liberty was not to be inculcated as a duty; if it was not to be reverenced as our chief good, as our boast and pride and richest inheritance;—what else had we worthy of our care? Liberty was the essence of the British constitution. King, lords, commons, and courts of judicature, were but the forms; the basis of the constitution was liberty, that grand and beautiful fabric, the first principle of which was government by law, and which this day they were going to suspend.

He called upon the right honourable gentleman to say, whether there was any true parallel between the constitution of this country and the old government of France, that we should dread the same effects from jacobinical doctrines, which that despotic government had suffered? France had no habeas corpus act: France had no system of respect for the liberties of the people; it had not been because France had held out a mild and equal government by law, that France had been overcome by the doctrines of jacobinism. On the contrary, it was a fair conjecture, that if France had had a habeas corpus act, and had not suspended it, if France had upon every occasion respected the rights and the liberties of the people, the doctrines of jacobinism would not have prevailed over the established power. He stated this as not an improbable conjecture; he did not presume to lay much stress upon such conjecture, but it was material to the right honourable gentleman in supporting his argument, to prove that the old government of France had been overthrown, because there was a want of power; for his argument was, that we must go on from measure to measure, until we should arm ministers with sufficient power to resist and overcome all innovation, and until they had rooted out all appearance of

jacobinical principles. The despotism of Louis XVI. had not been sufficient to save France from jacobin doctrines. Were we to go beyond that despotism to give ourselves greater security than France possessed? The doctrines of the right honourable gentleman went to the utter extinction of every vestige of the constitution; and such was the effect of his principle, that it was impossible to limit the progress of his remedies; they were all to be hot medicines; he did not admit the possibility of doing any good by the contrary practice. If one hot medicine failed, a hotter only was to be tried; and thus he was to proceed, through all the race of the most powerful stimulants, instead of trying what the opposite course of cooling mixtures and gentle anodynes might produce. What the nature of his provocatives was he had not condescended to state. He had alluded to his former opinion, that if the laws of this country were not sufficient for the suppression of seditious practices, the laws of Scotland, not as they really existed, but as they were stated to exist, should be introduced; and so he supposed one of his plans was, that juries should decide by a majority instead of deciding with unanimity; and that men should be punished with sentences more rigorous than immediate death; that was, should be sent to die far away from all the civilized world, merely on account of a political opinion. And these severities were to be introduced—for what? Because any great body of people were disaffected to the state? No, no such thing! It was the boast of ministers, and their adherents, that every part of the country was most strictly united in love and attachment to the constitution. But all this was to be introduced, because some low persons, without property and without consideration in the country, were found to entertain opinions about a parliamentary reform that were thought to be dangerous. How long would it take to eradicate these opinions from the minds of these men? Did they mean to keep them all in confinement under this bill? They would be forward, he supposed, to disclaim any such intention. What did they mean, then, to do? To suspend one of the grandest principles of the constitution of England, until there should be found no men within the kingdom tinctured with discontent, or who cherished the design of reform. If they meant to suspend the habeas corpus act until such time, there was an end of it in this country. And what did they declare by this to all mankind? That there was no period when it would be possible to restore to the country that grand and inestimable right; that the constitution of England was fit only for an Utopian society, where all men lived in perfect concord, without one jarring sentiment, without one discontented feeling; but that it was

utterly unfit for a world of mortal and mixed men, unfit for any state of society that ever did exist upon the face of the earth, or that was ever likely to exist. Never, never then, upon this doctrine, was it probable that we should again recover this most essential part of the British constitution; for it was not the will of Providence that society should be formed so perfect and unmixed, so free from all passions, as to meet the ideas upon which it was contended that the constitution of England could be with safety conferred upon them.

It was said, that the example of France threatened not only this, but all the countries of the world. Whatever the right honourable gentleman might feel upon this subject, there were several countries who thought differently, or which at least did not seek their protection by similar measures. They found their safer course was in being neutral as to the war, and in preserving to their people the blessings of peace and industry. "But America even felt alarmed." If it was true that America felt alarmed, it would be wise for that House to observe what had been her conduct in that alarm. Had she involved herself in a *bellum internecinum* to exterminate French principles? Had she suspended her habeas corpus act? Had she passed an alien bill? A treasonable correspondence act? Had she shocked every feeling, every humane and every considerate mind, by the scandalous rigour of her legal punishments? Had she plunged herself into a war, and loaded her people with new and excessive burdens? No: she had maintained a strict and perfect neutrality, as to the belligerent powers; and she had protected herself at home, by exhibiting to her people all the beauties of their own system, by securing to them all their privileges in their full enjoyment, by enlarging rather than abridging their liberties, and by shewing that, so far from dreading comparison, she placed her confidence in leaving to the free judgment of the people the most ample discussion of political doctrines.

With regard to the persons who composed these societies, he certainly knew little of them; it could not be supposed that he entertained any peculiar partiality towards them, at least if men were to judge from the opinion they had always delivered of him; they had never failed to speak of opposition, and of himself personally, with exactly the same expressions as they had used towards administration. The same distrust of their conduct, the same avowed hostility appeared in their writings towards both. They had certainly paid him personally a compliment, in mentioning him at the same time with the right honourable gentleman the chancellor of the exchequer, as far as regarded the splendid talents of that

right honourable gentleman; but it was not equally flattering to him to be put on a comparison with that right honourable gentleman, in regard to their right to the confidence of the public. It was not likely, therefore, that he was actuated by any partial regard to these societies; but he considered it as an unwise and illiberal course to take advantage of any odium that there might be against persons, in order to stigmatize measures which might otherwise be good. Though there were among these societies men of low and desperate fortunes, who might be very ready to embrace any enterprise, however hazardous, and though there might be others, whom he believed, from their characters, to possess wicked intentions, yet still that was no argument with him for casting a general obloquy on measures which were in themselves harmless. To deny to the people the right of discussion, because upon some occasions, that right had been exercised by indiscreet or bad men, was what he could not subscribe to. The right of popular discussion was a salutary and an essential privilege of the subject. He would not answer long for the conduct of parliament, if it were not subject to the jealousy of the people. They all entertained becoming respect for the executive government, that was, for the chief magistrate of the kingdom, but their respect for the king did not supersede the vigilance of parliament. In his opinion, the best security for the due maintenance of the constitution, was in the strict and incessant vigilance of the people over parliament itself. Meetings of the people, therefore, for the discussion of public objects, were not merely legal, but laudable; and, unless it was to be contended that there was some magic in the word convention, which brought with it disorder, anarchy, and ruin, he could perceive no just ground for demolishing the constitution of England, merely because it was intended to hold a meeting for the purpose of obtaining a parliamentary reform. With respect to their plan, that of universal suffrage, he never had but one opinion on the subject. He had constantly and uniformly considered universal suffrage as a wild and ridiculous idea. When his noble relation, the Duke of Richmond, had one day taken pains to explain his ideas on this subject, a learned and ingenious friend of his said to him, with as much truth as wit, "My lord, I think the best part of your grace's plan is its utter impracticability." He had always thought that it was impracticable; and though he could not agree with the opinion, that rather than continue the present state of representation, he would incur all the hazards of universal suffrage, yet he was ready to say, that the measures of last year, the horrid and detestable prosecutions, the scandalous sentences that had been

passed, and the scandalous way in which they had been executed, did not tend to make him wish less than heretofore for some reform, that should protect the country against these violations of good sense, propriety, and justice. If the habeas corpus act was to be suspended upon such an argument as had been advanced that night, and we were to go on step by step, as we were threatened, with the introduction of the Scots criminal code, with the extinction, perhaps, of the trial by jury, and he should then be asked what was his opinion, he did not know but he should be ready to prefer any change to such a horrid situation as the country would then be reduced to. He made no scruple to own, that the events which had lately passed in France, had made a most powerful impression on his mind. He should not do justice to himself, if he did not frankly confess, that they had served to correct several opinions which he previously held; they had served also to confirm many former opinions. They had convinced his mind of the truth of an observation of Cicero, one of the most common, which was early taught in their grammars, but from which, when a boy, his heart revolted. It was this:

"Iniquissimam pacem justissimo bello antefero."

He had, in the ardour natural to youth, thought this a most horrid and degrading sentiment. What! give up a just and glorious cause, merely on account of the dangers and, perhaps, the miseries of war! When he came to maturer years, he thought the sentiment at least doubtful, but he was now ready to confess, that the events of the French revolution had made the wisdom of the sentiment clear and manifest to his mind. He was ready to say, that he could hardly frame to himself the condition of a people in which he would not rather covet to continue, than to advise them to fly to arms, and strive to seek redress through the unknown miseries of a revolution. Our own glorious revolution in 1688, had happily been clear of all these horrors; that of 1641 had shewn a great deal of this kind of calamity; but the French revolution had exhibited the scene in its most shocking aspect. The more, however, his heart was weaned from such experiments, the more he detested and abhorred all acts on the part of any government, which tended to exasperate the people, to engender discontent, to alienate their hearts, and to spirit them up to resistance and to the desire of change. The more he deprecated resistance, the more he felt bound to oppose all foolish and presumptuous acts on the part of government, by which they expressed a disdain for the feelings of the people, or by which they strove to keep down

all complaint by inhuman severities. He was convinced that wise men, deliberately weighing the relative duties of government and people, and judging of human nature as it was, would see the wisdom of mutual concessions, would recommend incessant conciliation, and would deplore all measures which could exasperate and inflame the minds of the people, and induce them to wish for the horrors of a change. Nothing was so clear from all the history of England, as that we had never been so fortunate as when the government had conciliated the people; never so miserable as when a wretched system of persecution had been unhappily and unwisely adopted by ministers. Persecution had never been successful in extirpating opposition to any system either religious or civil. It was not merely the divinity of christianity that had made it triumph; for other religions, certainly not divine, but which were founded in imposture, as well as a number of the wildest sects, had thriven and flourished under persecution, on account, as he believed, of that very persecution. The human mind was roused by oppression; and so far from yielding to persecution, exerted all its energies in consequence of the attacks it had to encounter. Was it believed, that, if there was a party in this country, who cherished in their hearts the desire of reform, the sentiment could be extirpated by exercising over the individuals legal severities? Impotent were the men who thought that opinions could be so encountered! There were some things that were most successfully vanquished by neglect. America held out to us the true course and the wise plan to be pursued. Let us, like her, demonstrate to every man the blessings of our system. Let us shew that we not only are convinced that it is good, but that it will bear to be examined and compared with any other system. Let us make the people proud to court comparison, and strive rather to add new blessings to those they enjoy, than to abridge those which they already possess. Let us think for a moment what must be the joy which the present measure, if adopted, will produce in France. How will it be received in the convention? Barrere will, no doubt, triumphantly hold it forth as a proof that all the stories which he has tried to propagate in France, of there being a party in this country favourable to them, are true. At least, he would say, it had broken out to such a height, that ministers could no longer think the government safe, and the constitution was to be suspended in order to protect the state against the French party. If any accounts of the true state of this kingdom had reached France, which told them that we were united almost as one man against all doctrines which led to anarchy, Barrere would hold up the present measure in con-

tradiction to that faithful report, and say, that it was obvious there must be a formidable party in England in favour of French doctrines, when one of the most beautiful branches of our boasted constitution was to be lopped from the tree. Nay, though he for one had always treated with scorn the idea of an invasion, he asked those who held out that fear to the country, if any thing could be more likely to induce the French to undertake such an enterprise, than by thus giving to them the impression that we were threatened with an insurrection at home? Some words had passed, as if he had the night before said, that he would withdraw his attendance from the House. He thought it incumbent upon him to say, that he should act in this respect as upon reflection he felt it to be his duty to his constituents. But he certainly has not said that he should withdraw from the House. Mr. Fox concluded with a strong admonition to the House on the present alarming measure. He said, he saw it was to pass; that further effort was vain; that the precipitation with which it had been hurried on, made it idle for him to hope that argument would induce them to hesitate; and all that remained for him was to pronounce his solemn protest against a measure pregnant with consequences so fatal to the established order and strength and freedom of the country.

Mr. Pitt followed Mr. Fox, after which,

Mr. Fox, in explanation, declared, that with regard to what he had said on the subject of the christian religion, the right honourable gentleman had entirely misunderstood and mis-stated him; which he did not conceive possible, as he had taken particular pains to make his meaning clear and obvious. What he had said was, that the christian religion owed much of its success to persecution; not insinuating from that, that it was deficient in point of divinity; it was a religion of which he always had been accustomed to speak with reverence, and which he had ever professed; and further, to elucidate that point, he had observed, that not only the christian religion, but other sects, which had no just claim to divine institution, had flourished under persecution. He repeated what he had said respecting a proper vigilance in the people, over the proceedings of parliament, and their right to associate for legal purposes. He declared, if such a bill as had been alluded to by his right honourable friend, (Mr. Windham,) to assimilate the law of this country to that of Scotland, was ever to be introduced into that House, he should think it his duty to associate with persons from the differeht counties and towns in England, to resist it by

every legal and constitutional means. With regard to disaffected persons, no country was without them, but the bill was holding out to our enemies that they were so numerous as to require the strongest efforts of the executive government to resist them.

Mr. Pitt expressed his satisfaction at the explanation given by Mr. Fox, and assured him that what he had said arose from misconception. The House divided on the motion, That the House do now adjourn:

	Tellers.			*Tellers.*	
YEAS	Major Maitland Mr. Jekyll	33.	NOES	Sir J. Saunderson Mr. Adams	183.

The bill was then read a third time and passed, and at three o'clock on Sunday morning the House adjourned.

MR. FOX'S MOTION FOR PUTTING AN END TO THE WAR WITH FRANCE.

May 30.

IN pursuance of the notice he had given on the 26th instant,

Mr. Fox rose and said, that thinking as he did of the present lamentable and disastrous war, he should not do his duty, if he did not once more, before the close of the session, give the House an opportunity of considering the situation in which the country stood with respect to that war, and of reviewing the events which had led to that situation. On the war itself little now remained to be said: his present object was to call the attention of the House to particular facts that admitted of no dispute, and the inferences which every unprejudiced and dispassionate man must draw from those facts. First, then, as to the origin of the war: he had always considered as one of the greastest advantages of a free constitution, the publicity of all the acts of government; and thence he had hoped, that it was impossible for us to be plunged into a war upon false pretences, for one thing to be held up to the people as the cause, and another to be pursued by ministers as the end. Here, however, his hopes had deceived him. At the commencement of the last session of parliament, the language of ministers, and the language of the House, breathed nothing but the strictest neutrality.

It was not merely in the beginning of the French revolution that this language was held, but after the king had been dethroned, and many of those atrocities had been committed, at the view of which every feeling mind shrunk with horror. Ministers professed then to think that we were not to look to the conduct of another country in its internal affairs, as the criterion of peace or war; and, although many acts had been done in France of which it was difficult to say whether they were more calculated to move pity or excite indignation, still they pretended to court peace and neutrality. They said fairly, that if the French should make an unprovoked attack on any of our allies, or pursue plans of aggrandizement, which, if accomplished, would render it difficult to oppose any attack they might afterwards make, we must take part in the war. Great pains were taken to persuade the House, that their attempt to open the navigation of the Scheldt was an aggression upon our allies the Dutch; and however ludicrously or contemptuously that had been since treated as the cause of the war, he appealed to the recollection of the House whether it was not at first the point principally insisted upon. To settle the dispute upon this point, he had recommended negociation to the House, and the House refused to adopt it. But although the House decided against it, the ministers thought it convenient to follow his recommendation. They had recourse, not to an open and manly, but to an underhand and equivocal mode of negociation, which, even if meant honestly, could hardly fail of defeating its own purpose. In every dispute, the first step towards an accommodation was, to shew the other party that we did not mean to treat them with contempt. But ministers, in their negociation, by their inimical conduct, by refusing to acknowledge that those with whom they were treating had any power to treat, took the sure course of rendering it ineffectual. Their object was to pretend a negociation, and to pursue such means as must make it fail. It failed accordingly. Even after that, nothing was said of interfering in the internal government of France. On the contrary, it was asserted by those who were in the confidence of his majesty's ministers, and by ministers themselves, that the form of the French government at that time, or whatever future form it might assume, was not a fundamental objection to peace. During the recess, several declarations were published in his majesty's name, very inconsistent with our former professions of having gone to war only to repel an unjust aggression on our allies, and an unprovoked injury offered to ourselves. When Dumourier declared against the convention, and proposed marching to Paris, to restore the monarchy, the Prince of

Saxe Cobourg, in the name of the emperor, issued a proclamation, by which he acceded to the constitution of 1789, and declared, that whatever strong places should be given up to him, he would hold in trust for Louis XVII. till that constitution should be restored. True it was, that proclamation was almost instantly retracted, to the disgrace of all those who were parties to it. Whatever might be the fate of his present motion—whatever might be the issue of the war, the time he hoped would come, when we should clear ourselves in the face of Europe from the infamy of having been accessaries in that transaction. The emperor, as dead to all shame, as unfeeling with respect to every principle of justice, retracted his proclamation before it could be known what effect it might have produced on the people of France, and within five days after it had been issued. What could be found to match this, even in the conduct of those who governed France? It appeared to be done as if the emperor had feared, that the King of Prussia's perfidy to Poland might stand unparalleled, and he himself could not be considered as a fit member of the confederacy, till he had done something to keep his ally in countenance. In a cause, which we were so often told was the cause of morality, virtue, and religion, he trusted that his majesty, for his own and the national honour, would disclaim all participation in or approbation of such acts. The surrender of Toulon was considered as a fit occasion for declaring the intentions of ministers. Lord Hood took possession of it on the express condition of maintaining the constitution of 1789, and pledged himself to protect all Frenchmen who should repair to that standard. A declaration in the name of his majesty, afterwards came out, different, indeed, from this; verbose, obscure, and equivocal, like the production of men who were afraid of saying any thing distinctly, who wished not their meaning to be clearly understood; that, stript of all the elegant rubbish with which it was loaded, declared only this—that the restoration of monarchy, without specifying of what kind, was the only condition upon which we could treat with France. Thus did our avowed objects progressively change. It would be said, that we might fairly enter into a war with one view, and afterwards, as the alteration of circumstances made it necessary or convenient, change that view for another. Be it so, for the sake of argument; but it became not us to say that we were fighting in defence of morality, religion, and the rights of civilized society, who had entered into the war about the navigation of the Scheldt. We had confessed that this was the object for which we began the war, and we were not now to boast of higher motives. But for this aggression on our ally, the cause of morality and

religion would have been left to other defenders. If the change of object was a question of policy, let it be so considered. What had appeared to make it more politic now than at the commencement of the war? Had our experience at Toulon, the success of the Earl of Moira's expedition, or the internal state of France, convinced us that we had a better prospect of terminating the war by the aid of Frenchmen than before? We had disclaimed peace with the present rulers, and we had disclaimed interfering in the internal government of France. But how had we disclaimed interfering? We were actually interfering, and our interference was of the most objectionable kind. We said that our object was not to build up a government for France, but to destroy the system which now domineered in it. Suppose this point gained, were we to leave the French, thus deprived of every thing like a government, to settle one for themselves? Were we to say to them, "You, of whose wisdom, moderation, and humanity we have had such proofs, and entertain so high an opinion, assemble again by your delegates, as you did in 1789, and build up a government to your own liking, a monarchy, a republic, no matter what, so it be not jacobinism?" Thus we should propose to let loose the French again to that state from which we wanted to recal them, and to renew all those horrors which we had so often deplored. This mode of interference, was only politic inasmuch as it was faithless. It might be hoped to unite in our favour, all those who hated the present system; but of these how many must be deceived! One man might join us because he wished for the restoration of the old despotism, another because he wished for a limited monarchy, a third for a republic on better principles—and each confiding that our views were the same with his own. Two of these at least must be disappointed, perhaps all the three. Was this, he asked, mere theory? Had not a noble lord (Mulgrave) told the House that such was the state of the people at Toulon, almost equally divided between abhorrence of the old government and abhorrence of the new? and when there was neither foreign force, nor the cruel rigour of the present system to controul their passions, would they not break out into acts of open contest and violence? But what he thought most to be complained of, was, that we had been drawn into the war upon professions of neutrality, if neutrality could be preserved, and were now called upon to persist in it, on declarations directly opposite; that the people had been deluded by false pretences, to spend their money and their blood for purposes to which, if fairly stated to them in the first instance, they would not have consented; and being once engaged in the war, were told that they could not get out of

it. He had often been puzzled to divine what were the motives upon which ministers themselves were acting. During part of the last campaign, he thought they meant to adhere to their professed intentions. While a civil war was raging in La Vendée, we took Valenciennes and Mentz. The garrisons of those places we bound not to serve against any of the allies for a stipulated time, but we did not prohibit them from bearing arms against the royalists in La Vendée. In fact, we did as much as if we had sent them against the royalists, for we dismissed them without the possibility of being employed but only there. This was, perhaps, meant to shew that they disclaimed interfering in the internal government of France; and to refute as calumnies, the allegations that to interfere was their express, although not their avowed object. In the subsequent part of the campaign, the effect of this conduct was completely effaced in one point of view, but not in another, for the reproach of it still remained. It was effaced by the declarations at Toulon, by the king's manifestoes, and by preparing an army for the avowed purpose of co-operating with those very royalists.

He had thus shewn the inconsistencies of ministers and their supporters with respect to the professed object of the war, but these were not all. They had formerly contended, that if we suffered France to aggrandize herself at the expence of the emperor and the King of Sardinia, we might have to contend against her increased power, when our present allies, offended at our neutrality, would not assist us. He had never been able to see the force of this argument. He had always imagined that what we should be principally called upon to furnish in any war with France, would be money; and that our continental allies would not refuse to accept of subsidies from us at any time. What was now the fact? Did we fear that the emperor would make peace with France too soon, if we did not interpose? Fortunate for Europe would it have been if he had done so; and the barrier of the Netherlands, which the mistaken policy of a former reign had demolished, might have been restored. Would the King of Prussia have withdrawn himself sooner, or might he not have been prevailed upon by a subsidy to lend his troops as he had done now—as the emperor might soon do also? Besides our engagements with the King of Prussia and the emperor, we had entered into various conventions with other powers. One of these, the treaty with the King of Sardinia, had been the subject of discussion before, and it was unnecessary to enlarge upon it again. But in this had we any equivalent for what we engaged to perform? On all the occasions referred to as precedents in the former debate, we had to fear that the King

of Sardinia might join our enemy, and to bring him over to our side was a material advantage—Was there any danger of his joining France in the present war, if we had left him to his own councils? His neutrality would have been much more advantageous to the allies than his assistance. But it was said he might make a powerful diversion in our favour, and by drawing off a considerable part of the French force to the South, facilitate our operations in Flanders. At present, the diversion he made was, by an incursion of the French into his own territory. Would he, with his British subsidy, be able to defend his own dominions, and protect Italy? Clearly not, and the safety of Italy must now depend on a great Austrian force. From such information as was accessible to every man, he heard of nothing but the success of the French on the side of Italy, and, what was still worse, the disposition of the people in their favour, who hated nothing more than they did both the Austrian and Sardinian government. The French had entered Piedmont at two points, were threatening Turin, and could only be repelled by an Austrian army. In whose favour, then, was the diversion by subsidizing the King of Sardinia?—of the French who employed a force in that quarter which they could not, perhaps, have transported to the North; and against the emperor, whose exertions in Flanders must be weakened by the exertions he was thus obliged to make in Italy.

All the conventions entered into by us contained a clause by which the contracting parties bound themselves not to lay down their arms, while any part of the territory of either of them remained in possession of the enemy, and this was to extend to all powers who should accede to the confederacy. Ministers were formerly asked, whether the emperor and the King of Prussia had acceded to this guarantee? It was unnecessary to ask them that question now; the King of Prussia had laid down his arms, till he was bought by our money to take them up again; and the emperor had refused to agree to the clause. Thus, we alone were bound to continue a war, now declared to be a war *ad internecinem;* and consequently of incalculable duration. We entered into a treaty with the King of Prussia, by which neither party was to have laid down arms, but by consent of the other. From this engagement he escaped by a loop-hole; for as none of his dominions were within reach of the enemy, he had only to withdraw his troops from the scene of action, and tell us that he had made peace with France. But he was bound to continue war in other parts, till the objects of it were obtained. But did he not get rid of this by another loop-hole, under the words, "as long as circumstances will permit?" Such was his en-

gagement in July, 1793. What change of circumstances had happened in February, 1794? Had he sustained losses? Had he suffered defeats? No. The campaign, ministers assured us, had been most successful: but he had discovered that war had a tendency to exhaust his finances! he had found out a circumstance which it was impossible to foresee, that his victories would cost him something! This was the unlooked-for circumstance that would not permit the King of Prussia to continue the war. Had the public been told in July, 1793, that the treaty was binding upon him only for the rest of the campaign, they would have seen it in a very different point of view. The war was called the common cause of the civilized world, and all Europe, we had been assured, would join us in it. A great confederacy, indeed, had been formed; but many of the powers of Europe had not joined us, and it was reasonable to conclude that they had not the same apprehensions of danger. If the general interest were to be admitted, the emperor had still a more particular interest than we had. He contributed large armies, but no part of the subsidy to Prussia. It was even said, that ministers asked him to pay his share, but that he refused: hence it was clear, that all the money must be supplied by us and the Dutch. The emperor possessed various and rich dominions remote from the seat of war. From these he could not draw supplies in money. Even the part of his territories the most exposed to the enemy, more abounding in wealth than almost any country, this excepted refused to assist him; so that he was obliged to come here for a great and heavy loan. The propriety of allowing a foreign power to draw money out of this country by loan, he would not now discuss. His opinion was, that it was best to leave individuals to their own judgment. But the loan shewed that the emperor had no resource but here. If the loan should fail, where was he to go? Or if he wanted another next year, and could not obtain it, must he come, like the King of Prussia, for a subsidy? How could we refuse him, if it was true that the existence of jacobinism in France was incompatible with our safety as a nation? Must not we give subsidy after subsidy, while the war was going on with various success, and the end of it, on the only terms on which we said it could be ended, was too remote for speculation?

The consequence which he drew from all this was, that we ought to think of some rational mode of obtaining peace. That could only be effected in one of three ways — by treating, by compelling the enemy to submit to our own terms, or by treating with sufficient force in our hands to induce compliance with reasonable demands. The House had never sanc-

tioned the dangerous speculation, that to secure England, we must destroy jacobinism in France. The experience of ages had proved it to be the will of Providence, that monarchies, oligarchies, aristocracies, republics, might exist in all their several varieties in different parts of the world, without imposing the necessity of endless wars on the rest. The argument for peace had this advantage, that if peace should fail, we might then resort to war; but from war to peace, if that experiment should fail, the transition was not so easy. The French government had existed for two years. A powerful confederacy had been formed, numerous armies and great generals employed against it, and yet internally it appeared to be stronger than ever. In the first campaign, the Duke of Brunswick, at the head of a veteran army, had been compelled to retreat, and the Austrian Netherlands were over-run. In the second campaign, armies still more formidable had been brought into the field, and it had been, as ministers boasted, not merely successful, but brilliant. Yet the French government internally remained untouched by our disasters or our successes. If this was the dreadful situation in which we were placed, — if we were at war with a nation that rose in numbers and enthusiasm as much on our victories as our defeats, we must adopt the principle,

Nil actum reputans, si quid superesset agendum.

We had done nothing while any thing remained to do. We might take islands in the West Indies; we might even circumscribe the European territories of France; but while the nation remained, we were no nearer peace. This was a situation, melancholy and deplorable at any time, but much more so when we adverted to the inability of our allies to go on, but as we could afford to pay them. But if we chose to revert to the old maxim of state policy, that the internal anarchy of France, or of any other country, was no concern of ours, then, indeed, our successes in the East and West Indies would tell in our favour. Far was he from undervaluing those successes, or the merit of the gallant officers by whose valour and skill they had been atchieved; but he wished them to prove not merely a source of glory to the officers, but of solid advantage to the country. The settlements and islands we had taken in the East and West Indies, were excellent materials for negociation, but nothing for overturning the present government of France. If we aimed only at a safe and equitable peace for ourselves and our allies, they might be restored for restitution of what had been conquered from any of those allies, or kept as indemnity for the past and security for the

future, as the relative circumstances of the war and our engagements, might point out.

He therefore wished the House and the country to consider, whether we had not now the means of making peace; for, on the terms on which ministers said it could alone be made, he despaired of ever obtaining it. They said formerly, that France was not in a negociable state; that there was no man in it who could answer for the conduct of another. Was this the present state of France? He was little inclined to pay any compliment to tyranny, but it was surely in the power of tyranny, while it lasted, to coerce its own subjects. If the present rulers of France thought proper to declare war against any neutral nation, even against America, did any man doubt that they would be obeyed? Why, then, doubt their being obeyed if they made peace with any nation with whom they were at war? If by force, as some pretended, they sent their people to the field of battle, very little force would be sufficient to restrain them from it. They had been guilty of no infringement of the rights of neutral states; they had respected the Swiss territory under very difficult circumstances, and had passed through part of the Genoese territory in arms, without giving occasion for a single complaint. He wished that we might be able to maintain a good understanding with neutral states, in every instance, as well. He was ready to allow, that it was one thing to propose peace, and another to obtain it. With a nation in a state so anomalous as that of France, all events must be doubtful; but if we were to propose peace and fail, what should we lose? Would the King of Prussia take no more of our money? Would the emperor refuse a subsidy when he had occasion for it? This we should gain, that the convention would be no longer able to delude the people of France into the persuasion that we were making war upon them, not for the usual objects of war, but for the destruction of their liberties; and we should convince the people of this country, that the war was not carried on upon principles hostile to freedom, from which Great Britain had more to fear than any other nation.

Some sanguine men were of opinion, that certain principles established in one country must necessarily disturb the peace of another. He had doubted the doctrine when he first heard it; and the more he had examined, the more he disliked it. If it was maintained, that opinions held in France must contaminate the minds of Englishmen, this would lead to a revival of every species of intolerance, and to a more rigorous scrutiny of opinions than could be safe for states or individuals, more especially for this country. Had it not oft n been said that the French Revolution owed its origin to the Ameri-

ean war; that opinions borrowed from America gave it birth? This was so plausible that he knew not how to doubt it. Not that the French took the American opinions as they really were; they adopted them crudely in theory and perverted them in practice. Whence did the Americans receive their opinions? not from the wandering Indians, not from Mexico and Peru — they carried them with them from England. He must, therefore, deprecate questioning opinions on the possible consequences to which they might lead, for then would both America and England be found guilty. Whence were derived the Rights of Man, so much abused by misapplication, so fundamentally true? Not from the ancients, not from Asia or Africa, but from Great Britain; from that philosophy, if it was still safe to use the word, which Locke and Sydney taught and illustrated. If we were once to argue, that the principles of any one people were dangerous to others, then we must be odious to all other nations, whose forms of government and modes of thinking had less of liberty than our own. To despotic governments we must be detestable, "Although France," they might say, "has been the theatre on which the abominations that flow from those principles have been exhibited, yet England is the author;" and the example of England they would feel to be more dangerous, as truth was a more powerful instrument than error. When the courts of Berlin and Vienna exhibited such instances of perfidy and injustice, might they not well think that British justice and good faith afforded an example to their people and a reproach to themselves, not to be tolerated?

He would now assume, that the House was to differ from him in all he had said, and to persist in the plan of overturning jacobinism in France as the only road to peace. In that case they were bound to say so in explicit terms, and to declare moreover, that in conjunction with a certain description of Frenchmen, they meant to obtain some definite form of government for France. Then every Frenchman would know what he had to expect of us. If we declared for what some chose to call the old monarchy, but which he should ever call the old despotism, many would repair to the standard. If we declared for the constitution of 1789, those who approved of that constitution would join us. And if we declared for any form of a republic, a word which a remembrance of the grievances and oppressions under the monarchy had rendered popular, we should have the adherents of that system. Then men would join us whom we meant not to deceive. By professing only to demolish jacobinism without specifying what we meant to erect in its stead, we might have more hands but fewer hearts; for all who joined us would con-

stantly suspect that they were assisted but to be betrayed. If therefore, the House should not adopt the better resolution, he should move another resolution to this effect.

He had carefully avoided touching on the military conduct or the present state of the campaign. He had early in the session examined the attention paid to protecting our trade, he feared with but little of the effect which he hoped to produce, as the premiums for insurance, then triumphantly held up as an argument against him, too fully proved by their rapid increase. He looked to Flanders with pain and anxiety; we had destroyed many of the enemy, since the opening of the campaign, but alas! the slaughter had not been all on one side. He had felt some curiosity to calculate the loss of the allies of all descriptions in the last campaign in all the points of action, from such documents as were public, and also to estimate the loss of the French, which could scarcely be less than 200,000! What, then, were we to think of conquering a people who could bear such a loss as this, and still present superior numbers in every point of attack? We had reduced Landrecies, and while we were doing that, the enemy had pushed into West Flanders, from which, with all the well-earned laurels our troops had obtained, we had not yet been able to dislodge them. Without professing to be a critic in matters of war, when he looked at the frontier, he could not help thinking the conquest of France a more desperate crusade than ever. What said our allies of the French? The emperor had published that the attack of the 17th was admirably planned; that in the execution, generals, officers, and men, all merited equal praise; and yet it had totally failed! Hence he must conclude that we had to cope with a very formidable enemy. Was it owing to the elements that the plan had miscarried? No, it was because West Flanders was intersected by hedges and ditches. But was this a thing unknown before to the emperor's officers in his own territories? Did they plan an attack only to discover that they were fighting in an inclosed country? It was like the King of Prussia's discovery that war cost money. Since then we had obtained a victory, on which no man could be supposed to dwell with more peculiar pleasure than he himself, but the only effect of that victory was, not to dislodge the French from their position in Flanders, but to avert a great danger from the allied army. When such was the state of the campaign in Flanders, when the Spaniards and Piedmontese were repulsed, and instead of making a diversion required assistance, surely he might infer that there was as little prospect of destroying the jacobin government of France now as when the war began, and we

professed no such object. Why not, then, recur to old maxims, when our victories and the islands we had taken might give them such effect? It was impossible to dissemble that we had a serious dispute with America; and although we might be confident that the wisest and best man of his age, who presided in the government of that country would do every thing that became him to avert a war, it was impossible to foresee the issue. America had no fleet, no army; but in case of war she would find various means to harass and annoy us. Against her we could not strike a blow that would not be as severely felt in London as in America, so identified were the two countries by commercial intercourse. To a contest with such an adversary he looked as the greatest possible misfortune. If we commenced another crusade against her, we might destroy her trade, and check the progress of her agriculture, but we must also equally injure ourselves. Desperate therefore, indeed, must be that war in which each wound inflicted on our enemy would at the same time inflict one upon ourselves. He hoped to God that such an event as a war with America would not happen: but whether it did or did not, he contended that every day afforded additional reasons for putting an end to our crusade against France.

Mr. Fox concluded with reading the following resolutions:

1. "That it appears to this House, that during the several changes which took place in the constitution and government of France, before the commencement of hostilities, and more particularly after the events of the 10th of August 1792, when his majesty was advised by his ministers to suspend all official communications with France, it was, and continued to be, the professed principle and policy of his majesty's government, carefully to observe a strict neutrality, and uniformly to abstain from any interference with respect to the internal affairs of France: that, when his majesty was advised to make a farther augmentation of his forces by sea and land, at the beginning of the last year, it was for the declared purpose of opposing views of aggrandisement and ambition on the part of France, and that, when his majesty acquainted parliament, that acts of hostility had been directed by the government of France against his majesty's subjects, and after war had been declared against his majesty and the United Provinces, the then avowed object of prosecuting the war, on our part, was to oppose the further views of aggrandisement imputed to France, and that the prosecution of the war on this ground, and for the attainment of this object, was approved of by both Houses of parliament.

2. "That it appears to this House, that, at or before the end of April 1793, the armies of France were obliged to evacuate Holland and Flanders, and to retire within their own territory; and

that the Prince of Cobourg, commander in chief of the Emperor's forces in Flanders, did, on the 5th of April, engage and declare that he would join and co-operate with General Dumourier, to give to France her constitutional king, and the constitution which she had formed for herself; and that the Prince of Cobourg did also then declare, on his word of honour, that if any strong places should be delivered over to his troops, he should consider them no otherwise than as sacred deposits; and that, on the 9th of the same month, all the preceding declarations of the Prince of Cobourg were revoked.

3. "That it appears to this House, that, by the 15th article of the treaty concluded with the Landgrave of Hesse Cassel on the 10th of April 1793, his majesty's ministers were of opinion, that the situation of affairs had then entirely changed its aspect, in consequence of which his majesty might not have occasion for the Hessian troops, and might be at liberty to relinquish their service, on certain conditions of compensation to be made to the Landgrave.

4. "That it appears to this House, that, on the 14th of July 1793, a convention was concluded between his majesty and the King of Prussia, in which their majesties reciprocally promised to continue to employ their respective forces, as far as their circumstances would permit, in carrying on a war equally just and necessary.

5. "That it appears to this House, that, on the 23d of August 1793, Lord Hood declared to the people of Toulon, that he had no other view but that of restoring peace to a great nation, upon the most just, liberal, and honourable terms; that the inhabitants of Toulon did in return declare, that it was their unanimous wish to adopt a monarchical government, such as it was originally formed by the constituent assembly of 1789; and that Lord Hood, by his proclamation of the 28th of August, accepted of that declaration, and did then repeat, what he had already declared to the people of the south of France, that he took posesssion of Toulon, and held it in trust only for Louis the XVIIth.

6. "That it appears to this House, that the constitution to which the declaration and acceptance stated in the preceding resolution are applied, was the same which his majesty's ambassador at the Hague did, in a memorial presented to the States General on the 25th of January, 1793, describe in the following terms, viz. 'It is not quite four years since certain miscreants, assuming 'the name of philosophers, have presumed to think themselves 'capable of establishing a new system of civil society; in order 'to realize this dream, the offspring of vanity, it became ne- 'cessary for them to overturn and destroy all established notions 'of subordination, of morals, and of religion;' and that this description was applied by the said ambassador to a government with which his majesty continued to treat and negociate from its institution in 1789 to its dissolution in August 1792, and that his majesty's ambassador was not recalled from Paris until that government was dissolved.

7. "That it appears to this House by the declaration made by

his majesty's ministers, and dated on the 29th of October, 1793, 'That his majesty demands only of France that some legitimate 'and stable government should be established, founded on the ac- 'knowledged principles of universal justice, and capable of main- 'taining with other powers the accustomed relations of union and peace;' and that his majesty, in treating for the re-establishment of general tranquillity with such a government, 'would propose 'none other than equitable and moderate conditions, not such as 'the expences, the risks, and the sacrifices of the war might justify;' and that his majesty hoped to find in the other powers engaged with him in the common cause, sentiments and views perfectly conformable to his own.

8. "That it appears to this House that, at the commencement of the war, the prosecution of it was considered by his majesty as a cause of general concern, in which his majesty had every reason to hope for the cordial co-operation of those powers who were united with his majesty by the ties of alliance, and who felt an interest in the same cause.

9. "That it does not appear to this House, that in the prosecution of a war considered by his majesty as a cause of general concern, and as a common cause, his majesty has received that cordial co-operation which we were led to expect, from those powers who were united with him by the ties of alliance, and who were supposed to feel an interest in the same cause.

10. "That, on a review of the conduct of the several powers of Europe, from whom, if the cause was common, and if the concern was general, such cordial co-operation might have been expected, it appears to this House, that many of those powers have not co-operated with his majesty; that the Empress of Russia has not contributed in any shape to the support of this common cause; that the crowns of Sweden and Denmark have united to support their neutrality, and to defend themselves against any attempt to force them to take part in this common cause; that Poland is neither able nor inclined to take part in it; that Switzerland and Venice are neutral; that the King of Sardinia has required and obtained a subsidy from Great Britain to enable him to act even on the defensive; that the King of the Two Sicilies, professing to make common cause with his majesty in the war against France, is bound to it by nothing but his own judgment in the course of events which may occur, and that he is at liberty to abandon the common cause whenever he shall judge that he cannot any longer with justice and dignity continue the war; that the efforts of Spain and Portugal have been completely ineffectual.

11. "That, with respect to the powers who were principals in the present war, (viz. the States General, the King of Prussia, and the Emperor,) it appears to this House, that the States General, having refused to contract for the payment of their portion of the subsidies to be paid to the King of Prussia, beyond the term of the present year, have thereby reserved to themselves a right to withdraw from the support of the war at that period, and to throw the whole burden of it upon Great Britain; that the

King of Prussia being bound by the convention of July 1793, to act in the most perfect concert and the most intimate confidence with his majesty, upon all the objects relative to the present war, and having then promised to continue to employ his forces as far as circumstances would permit in carrying on the war, and his majesty having since been obliged by the treaty of the 19th April 1794, to grant to the King of Prussia an enormous subsidy, in order to engage him to continue to co-operate in the prosecution of the war, it follows that the King of Prussia is no longer a principal party, nor even an auxiliary in the said war, but that he basely lends out his troops to this country in return for a most profitable pecuniary compensation at our expence, and that Great Britain is, in fact, loaded with his proper share of the burden of a war, which is said to be the common cause of every civilised state; finally, that if it were expedient or necessary to purchase the King of Prussia's co-operation on such terms, the emperor, whose interests are more directly at stake, was full as much bound in reason and justice, as his majesty or the States General could be, to contribute equally to that expence; and that if, at any future period of the war, the emperor's finances should be so exhausted as to make it impossible for him to maintain it on his part at his own charge, his imperial majesty will be invited and encouraged, if not justified, by the example and success of the King of Prussia, to call upon this country to defray the whole expence of whatever army he may continue to employ against the French; nor does it appear to this House by what distinction in policy or in argument the terms granted to the King of Prussia can be refused to the emperor, whose efforts and expences in the course of the war have infinitely exceeded those of Prussia, or how this country can in prudence or with safety, decline a compliance with such demands, if it be true, as has been declared, that the destruction of the present French government is essential to the security of every thing which is most dear and valuable to us as a nation.

12. "That it appears to this House, that in consequence of the events of the war on the Continent and elsewhere, all views of aggrandizement and ambition on the part of France, supposing the French to entertain such views, are evidently unattainable, and must be relinquished by France; and that therefore, the object of the war as it was originally professed on our part, viz. the restoration of peace on terms of permanent security, is now attainable, and may be secured, provided that on one side the French shall be content with the possession and safety of their own country, and that we, on the other, shall adhere to the principles of justice and policy, so often declared by his majesty and avowed by his ministers, of uniformly abstaining from any interference with respect to the internal affairs of France.

13. "That it is the duty of his majesty's ministers to avail themselves of the present circumstances of the war, and to promote a pacification by every means in their power, by proposing to France equitable and moderate conditions, and above all things, by abstaining from any interference in the internal affairs of France.

14. "That it is the opinion of this House, that in every possible case, it is equally desirable that his majesty should make an explicit declaration of his views. If it is the intention not to interfere in the internal government of France, nothing can contribute so much to advance a negociation with those who now exercise the power of government in that country, as such a declaration solemnly and explicitly made. If on the other hand it is intended to interfere, it is highly essential to make the degree of interference precisely known, to induce such parts of the French nation as are dissatisfied with the present government, to unite and exert themselves with satisfaction and security."

Upon the first resolution being put, Mr. Jenkinson rose and moved the previous question thereon; in which he was supported by Mr. Pitt. The resolution was warmly defended by Mr. Sheridan. In reply to what fell from Mr. Pitt, who had cast some reflections on the conduct of Mr. Sheridan,

Mr. Fox said, that when he considered the secret committee that had been alluded to, there were some men among them whose talents and integrity he held in the highest esteem; but if in point of abilities, if in point of integrity and honour, if in point of every quality that could adorn the character of man, they were compared with his honourable friend, (Mr. Sheridan,) they were compared with their equal, and the comparison would do them no dishonour. With regard to the question before the House, the right honourable gentleman had blended two things essentially distinct; the medium by which we were to carry on this war, and the object for which it was carried on. And here he must say, that it was not originally expressed to be the object of our executive government; it had never been expressed to be the object of that House; it never ought to be the object of this country, to carry on the war for the purpose of forming a government for France. Surely, if there was any distinction to be marked by words, means were one thing, the object another. The right honourable the chancellor of the exchequer insisted that he had confounded the idea of the alteration of the government of France with the conquest of France, and that in reality the majority of the people of France were against the present government. For his part, he would not insult the good sense of the House by seeming to agree to that position. For how stood the facts as opposed to the bare assertion of the right honourable gentleman? Let the House look at the expedition of the Earl of Moira, an expedition not planned in secret, and overturned by stratagem, but an expedition publicly announced, and for six months endeavoured to be carried into execution, by affording to the majority of the French an opportunity of joining us, for the

purpose of destroying a form of government of which they were said to be so tired. If he were, after this, to say that the great majority of the people of France were desirous of joining us to destroy their present government, he should afterwards be ashamed to shew his face any where in Europe. The French were not now desirous of destroying their republic. Had they ever been so? What was the case at the desertion of Dumourier? He abandoned the cause of the French republic. How many followed him? A few officers and domestics. We took Valenciennes. How many repaired to our standard in consequence? We took possession of Toulon by the agreement of some of the inhabitants. We erected there a standard of royalty. How many Frenchmen came to it? A declaration was made in favour of royalty, the French were called upon to shake off their sanguinary tyrants, and were told that we would protect them. How many Frenchmen flocked to us for that protection? Were we not compelled to fly, and abandon the town and its inhabitants to the fury of their enemies? To all these facts the right honourable gentleman was to oppose a speculation of his own, to prove that the majority of the French were hostile to the present government. If there were a majority of the people in that country who favoured the designs of the allied powers; but, after all the opportunities which had been given, found it impossible to act, they might as well not be in existence, for "*de non apparentibus et non existentibus eadem est ratio.*" If the peasants all along the frontier of France, who had Prussian, Austrian, or British troops to fly to for protection, did not do it, but continued to oppose them, what hopes could we form that they would yet do it? No, no, whatever the French might think of their government, they would never join the allies to alter it; they had too clear a specimen of Prussian and Russian and British and Austrian integrity, to remain doubtful of its nature; they saw by the partition of Poland, that when the allies professed to protect, their object was to plunder, and that in order to shew their hatred of innovation, they themselves introduced innovations of the most shameful and oppressive kind. It was said to be extraordinary, that gentlemen should both oppose and support the war. He was one of those who did so; let the ridicule attach to him if there would be any. He would do all in his power to persuade the people of this country to demand peace; but if a headstrong, rash, ignorant, or haughty minister should plunge us into a war, then we must do the best we could to get out of it; and to keep up our respectability to the rest of the world, supplies must be granted. He would not consent to ruin his country, because a minister

had been either weak or wicked enough to involve us in a great difficulty. This was called supporting and opposing the war; but it was not new to him either in practice or in accusation. He did the same thing in the American war after the French had joined in it. He could not consent to receive laws from the French; and he believed they would be as unwilling to receive laws from us; this was a distinction which every man could understand, who gave himself the trouble to comprehend what he heard.

With respect to his assertion, that the emigrant corps bill was the first open avowal of the intention of this country to interfere in the internal concerns of France, what he meant was, that it was the first efficient act to prove such an avowal; for before, it consisted merely in declarations, and he knew the right honourable gentleman could, in a very happy manner, explain away those declarations if he found it convenient, or if it was necessary to the preservation of his place, even to condescend to apology or humiliation; for there was no pill however bitter, that he would not swallow, however high and vaunting his expressions might be in that House, rather than surrender power, that God of his idolatry. In support of this assertion Mr. Fox adverted to the right honourable gentleman's conduct, after all his great words concerning Oczakow, when he submitted to the most degrading apology to the Empress of Russia. If he found it answer his purpose to explain away his declaration with regard to France, he could prevail on Mr. Fawkener, or some other person, to go to Paris on that business; but overt acts were not so easily done away. Another objection he had to the emigrant corps bill, was, that though this country might break its faith with regard to nations, it should be cautious of preserving it with individuals, and of not holding out to those unhappy people a protection which we were either unable, or had no intention to afford them.

As to the general argument, that the House had already divided on many points which were now brought forward, it was an answer that might be made to cover any error however enormous; it was an answer which he had continually received during the American war, and which he had as continually despised: it was a mode of answering, however, which had cost the country above one hundred millions of money, and many, many thousands of men; it was by this sort of obstinacy in ministers, and implicit confidence in the House, that this country might be ruined. These topics were resorted to, and this system adopted, by many of the same men in this and in the former war; the conclusion of this might, perhaps, be more calamitous to this country than the conclusion of that

war had been. The right honourable gentleman had said a great deal on what was due to our dignity, and that we could not negociate with the present rulers of France without disgracing ourselves. Had the right honourable gentleman forgotten that he himself had negociated with M. Chauvelin, the then minister of these very jacobins? and that Lord Auckland had negociated with Dumourier, the then agent of these very persons? The right honourable gentleman, on all occasions, dwelt much upon danger at home. The House, he feared, would be often called upon to attend to that subject.

When the militia was called out contrary to law, insurrections were alleged as the pretext; but the right honourable gentleman was unable to produce a single instance of any set of individuals having gone any length that was alarming to the constitution. It had happened, however, that as the war had proceeded, jacobins had increased in number in Germany and in Italy. War, therefore, had not hitherto tended to their extermination. He did not intend to have said any thing upon the alarm that had gone forth in this country, nor on the means made use of to increase and spread it; whenever the day came, he should be ready also upon that point. He could not now dismiss the subject, however, without observing, that an alarm had been spread over this country, and a false one, for political and unfair purposes; the charge of conspiracy had been most foully exhibited against innocent persons. He knew how Mr. Walker was indicted for a conspiracy: that charge was most infamously false; it was supported by nothing but the most gross and disgusting perjury; and the jury, against whom no complaint of attachment to jacobinism was or could be exhibited, had unanimously given a verdict of not guilty. This prosecution was forwarded—by whom? He had seen hand-bills upon that and similar subjects; he would not say they were propagated by ministers, but he knew it to be by men not unconnected with ministers. With respect to himself, no man who thought of him with common candour and fairness, would think that he had wishes hostile to the constitution of this country; honest men would think well of him, and from men of another description, he knew he should meet with misrepresentation and slander. It was a misfortune which he had already frequently incurred, and which he must submit to in the present instance. He, therefore, in spite of popular clamour, would declare it to be his opinion, because it was his opinion, that there was that day great cause for alarm in this country, but that the danger was not to be apprehended from low and inconsiderable persons, who had read Mr. Paine's book, and who, perhaps, might not understand it,

but from those who make the weak, instruments in the hands of the wicked, for the purpose of destroying the fairest, the most beautiful, the most ornamental, and at the same time the soundest and the best part of the constitution of England, by suspending the laws for the protection of the subject. That there was in this country, at this day, a party who thought the present a good opportunity to try to effect their purpose, and to defeat all the principles of government that were popular at the accession of the house of Brunswick, who wished to establish in this country the despotism of some of the worst governments of the continent, by which all the freedom of the constitution of this country, and the blessings we had enjoyed under it, were to be done away for ever—he was firmly persuaded: they were active, and not without hopes of success; but it was his duty to tell this to the public, that they might see their danger, know whence it came, and prevent it before it was too late. They were a party who had always existed in this country, and who, at different times, under the appellation of high churchmen, jacobites, and tories, had endeavoured to destroy the civil liberties of the country. However odious they might endeavour to make him, he should not cease to oppose their views, so long as he remained in this House, and to warn the people of their danger; and though, in the execution of this duty, he might have to encounter clamour and misrepresentation, he should at least be secure of the approbation of the wise and good, and also of his own conscience.

The House then divided:

	Tellers.			*Tellers.*	
Yeas	Mr. Grey, Mr. Lambton	55.	Noes	Mr. Jenkinson, Mr. John Smyth	208.

So it passed in the negative.

Vote of Thanks to Lord Howe for the Victory of the First of June.

June 16.

Mr. Secretary Dundas having moved, "That the thanks of this House be given to Admiral Earl Howe, for his able and and gallant conduct in the most brilliant and decisive victory obtained over the French fleet, on the first day of this instant June, by the fleet under his command."

Mr. Fox rose to give his most hearty assent to the motion now before the House. He declared, he had no doubt of the spirit, activity, skill, talents, or patriotism of the noble earl: however in political questions he might have the misfortune to differ from him, there was not a man in that House, or in the country, who had given higher satisfaction in all his professional life than the noble earl had; he therefore never heard a motion which had more decidedly his approbation than the present. He had uniformly believed, that if the noble earl should not engage the French fleet, it was only because he had no opportunity of doing so. The noble earl had, to his knowledge, been engaged in the service of his country at a time when faction was extremely high, and, under all the difficulties that naturally arose under such circumstances, he maintained his character for spirit, skill, and talents, so as to make it impossible for any rational man to suppose that he would not attack an equal force of the enemy at any time. Having said this in mere justice to the character of the nobleman who was the deserved object of admiration, he must add, that he could have wished that the right honourable gentleman who brought the business forward, had not introduced extraneous matters, under the convoy of this victorious fleet, and that he had not blended points on which opinions were divided with those on which there was, as ought to be, perfect unanimity. Such conduct, on the part of his majesty's ministers, would, on any other occasion, call for his animadversion; but on this he should not say any thing that might, by the most perverse construction, be supposed to diminish the unanimity of the day. With regard to the brilliancy of the victory, he subscribed to every word that had been said in praise of it; nor were the observations that were made on the humanity displayed on the occasion at all misplaced. This added to the numerous proofs we found in the history of battles, that true valour and humanity were nearly allied; and he hoped to God they would for ever remain inseparable companions. Of this victory he should say nothing more, than that he rejoiced in it as much as any man in England could rejoice in it; and that, considering it in a defensive point of view, it was extremely important to this country, as well as glorious. He could not, however, help saying, that if at an early period of the war, any man had said that this was a matter then so doubtful, that on its happening it would be considered as a matter of great triumph, and to be rejoiced at as an event not to be expected, such a person would have been considered as making use of a very desponding observation. He rejoiced in this victory, not on account of its being beyond his hopes in the beginning, but on account of the com-

fortable reflection arising out of it; for it had saved us from the possibility, and removed our apprehensions of an invasion from the French; and if it was made proper use of by his majesty's ministers, for the wise and salutary purposes of procuring peace, it would then be indeed a blessing to this country. If turned to the purposes of peace, then we should have reason to rejoice, then it would be as solidly useful as it was unquestionably brilliant; more so, perhaps, than this country ever knew at any period of its history. If, on the contrary, it was made use of for the impracticable object of destroying the government of France, though its brilliancy remained, its utility would cease. He should say no more upon this subject; he should not touch on the points which he could have wished the right honourable gentleman had passed over, because he was extremely desirous there should not only be an unanimity in the vote, but in the language also of that House on this occasion. He should, therefore, only say, that he never gave a vote in his life with more complete and heartfelt satisfaction than the present; first, as to the noble earl under whose command the victory was gained; and next, as to all the officers and men who acted under him, for he presumed it was to be extended to them all: a vote, he believed, never passed that House, that was followed with more general and cordial concurrence throughout the country.

Address of Thanks to His Majesty for his Communications respecting Seditious Practices.

June 16.

THIS day the Lords agreed upon the following address of thanks to the king, which they sent down to the Commons for their concurrence:

"Most Gracious Sovereign,

"We, your majesty's most dutiful annd loyal subjects, the Lords Spiritual and Temporal, and Commons, in parliament assembled, having taken into our most serious consideration the communications, which your Majesty has been pleased to make to us, respecting designs against the public peace and safety carried on within this realm, think it our bounden duty, at this period, humbly to lay before your majesty those sentiments to which we are led by the result of that examination.

"We have seen, with the utmost concern and indignation, that there has existed within this realm a seditious and traitorous con-

spiracy, directed to the subversion of the authority of your majesty and your parliament, and to the utter destruction of the established constitution and government of these your majesty's kingdoms; and that, for the execution of those wicked and detestable designs, means of open violence were preparing, and acts meditated, leading to all the horrors of insurrection, anarchy and rebellion.

"That, with the fullest conviction of these designs, thus deliberately entertained, openly avowed, and on the very point of being attempted to be executed, we feel ourselves bound to express to your majesty our gratitude for the paternal care which your majesty has shewn for the dearest interests of your people, in having taken such measures as might best tend to defeat all such purposes, and to bring the authors and abettors of them to public justice.

"We have, on our part, proceeded without delay, after the example of our ancestors, and under the just impression of the exigency of such a situation, to vest in your majesty, by law, such additional powers as seem best calculated to provide for the public peace and tranquillity: and we rely with confidence on your majesty's employing all legal and constitutional means for the punishment of such crimes; for the suppression of the first appearance of any tumult or disorder connected with them; and, generally, for the giving, as the circumstances manifestly require, full energy and vigour to the execution of the laws by which all your majesty's subjects are equally protected, and from which alone they can derive the secure enjoyment of property, of liberty, and of life itself.

"And we beg leave to assure your majesty, that, as we are determined to defend with resolution and vigour, against our foreign enemies, the rights of your majesty's crown: the safety and welfare of our country, and the existence of good order and civil society, so we will, on every occasion, afford to your majesty the fullest support and assistance in maintaining inviolate the free constitution of these realms, in preserving internal peace and tranquillity, and in resisting the desperate purposes of those who would introduce among us the miseries which now prevail in France; such being the conduct which we feel to be due from us, as faithful and affectionate subjects, and as men deeply impressed with the value of the blessings which we enjoy."

Mr. Pitt having moved, "That this House doth agree with the Lords in the said address,"

Mr. Fox said he should have been happy, if he could, consistently with his duty, have given his vote in favour of this address. Various associations had certainly been formed; some of them for laudable purposes, and others for purposes perhaps not so laudable. He should have considered the address with more satisfaction, if he had been persuaded that the effects of it on the persons who were its declared objects, would be such as gentlemen who supported it seemed to ex-

pect. With regard to those persons, who had formed themselves into associations, with views more or less laudable, as far as their views were to be judged of from their original professions, it could not be suspected that he had any partiality to influence his opinion. Partiality could be derived only from general concurrence of sentiment, favour shewn, or support received. Those persons, however, among many other important instances of signalizing themselves, had always been signalized as his personal and political enemies: they were also, the greater part of them, the very persons who had supported that system of power against which he had always contended; they were the persons who had at all times, till very lately, supported the present minister: who had lent their utmost aid to bring him into power; and who, by their present conduct in opposition to him, contributed more to promote his measures than by their former support. In the discussion of public questions, much as he regretted when it was his misfortune to differ from those with whom he had long lived in habits of intimacy, or generally agreed on constitutional principles, he was not to be governed by personal feelings or political kindness. He was not now to debate, whether or not there were some persons who entertained principles and favoured designs hostile to the established government of the country. At all times there had been such persons, and ever would be under any possible system. Was it not notorious, that during the reigns of the two first princes of the house of Brunswick, there existed, not a few inconsiderable persons, but a party of great weight and influence, from numbers, rank, property and character, not merely entertaining, but actively prosecuting designs hostile to the protestant succession as established in that house? But, had the best bulwarks of the constitution, and the most valuable defences of our rights been suspended on that account? No; the good sense of the people at large, and their attachment to a system, the practical effect of which they felt to be the promotion of their happiness, rendered fruitless the systematic hostility of that party. On the decline of that party, by whatever name it might be called, other disaffected persons, with the same or perhaps other views, naturally arose. How this new party acted in 1784, it was unnecessary for him to mention. Gentlemen could not but know that the system of vilifying parliament, so successfully pursued at that period, must have produced a very great effect, and perhaps been the immediate cause of all those proceedings which they were now called upon to repress by such extraordinary measures. The question to be debated was not the existence of disaffected persons, but whether what they did was sufficient to call for or

warrant a departure from the ordinary course of administering the government? Were not the laws against seditious or treasonable practices in full force? and was not the general disposition of the people loyal and zealous to support the constitution? What more was necessary?

As the French by their abuse of liberty had brought liberty itself into disrepute, he warned the House against the fatal error, of bringing the constitution into contempt with the people, by teaching them, that it was inadequate to any emergency, that it possessed not vigour to oppose the least attack, that it held forth the semblance and not the substance of protection. In discussing questions of war or alliances, they were told, that it was the prerogative of the crown to declare war and conclude treaties, and that parliament was not to interfere with the exercise of that prerogative, but to punish ministers in case they abused it. Was it not equally the prerogative and the duty of the crown to punish all attempts against the constitution by the regular course of law, and the province of parliament to animadvert on ministers if they neglected or betrayed that duty? No reason could be alleged for deviating from the ordinary mode in the one case any more than in the other. Why, then, were they called upon to take the lead and give a previous sanction to measures, which it was their duty only to superintend? What, after all, was expected from their address? Professions of loyalty. Surely, surely, the House of Commons had better means of manifesting their loyalty than by professions! Professions they had already given in abundance, and they were now to give no material advice; they were only called upon to witness facts, to affirm their belief of the existence of a conspiracy, which were already in issue on the trials of the persons committed as accomplices in that conspiracy. The papers in the report on which the address was founded, were many of them the composition of ministers: of the authenticity of such papers, neither the House nor the secret committee had any knowledge of their own; and they might all be as false as the charges upon which Mr. Walker of Manchester was brought to trial. The effect of the address could only be to publish the opinion of the House that the constitution was in danger.

He had flattered himself, that the day on which they had voted thanks for a great and glorious victory, atchieved by the united zeal and valour of every officer and seaman in our fleet, would not have been chosen as the day to sound alarm. That victory, he trusted, would have banished every idea of invasion from the enemy, the only circumstance that could give colour to danger from disaffected persons at home; and he had hoped that Lord Howe had not only conquered the

French fleet, but reconquered the habeas corpus act. But although the cause of alarm was gone, the effect still remained. What were the numbers of those persons from whom so much was dreaded, and what their quantity of arms even as stated in the report? Too insignificant surely to act by open force! But they talked of a convention. What was the magical influence of this word, that if any set of people were to meet and call themselves a convention the whole nation must be undone? Were they to form their convention, and attempt to exercise any authority contrary to law, the nearest justice of peace, he was fully convinced, might easily disperse them. Their conversations about arms, too, it appeared were all private. They were not held in their public meetings, but by a few persons after the other members were gone. They did not venture to trust the secret of providing arms even with those whom they expected to use them.

Between the former state of France and the state of this country there was as little resemblance as between what had happened there and what was apprehended here. There was not in this country that wide separation of rich and poor, without any intermediate class, which too generally prevailed in France. The revolution in France was not begun by the lower and inconsiderable orders of the people. It was an assembly, uniting in it much of the rank and property, and, perhaps, the greater part of the talents of the kingdom, that commenced the French revolution and overturned the ancient government. Such men as composed some of the dreaded societies in this country, had risen to power in the progress of that revolution, but they were utterly incapable of beginning it. He was glad to find that more stress was laid in the report on what had been discovered in Scotland than on the discoveries made in England; both on account of the natural predilection which every man felt for the part of the country in which he happened to be born, and because it was a complete answer to the desperate proposition with which the House had been threatened, of introducing the Scotch law into England. Under the mild system of English law, so effectual had experience proved it to be, sedition was hardly to be found; under the rigorous system of Scotch law, still existing in full force, sedition had grown up to rebellion. Such was the fair inference from the report; and the converse of the argument might be also true. The rigour of the Scotch law might have tended to raise sedition. Might not there be many men in Scotland who, like himself, would feel but little interested in preserving a system of government under which they should be exposed to such treatment as appeared in the cases of Muir and Palmer? In such discussions

as were necessarily occasioned by the late proceedings in parliament there might be much mischief. In attachment to the constitution, he would not yield to any man; but he was attached to the substance and vital spirit, not merely to the form. The substance and vital spirit was political freedom. A convention, and resistance to the form in favour of the spirit of the constitution, had rescued our ancestors from impending slavery, and seated the House of Brunswick on the throne. It was the right of the people to meet; it was their right to discuss either their private or political affairs. Those rights were sacred and essential to freedom. If they were invaded and suppressed, the constitution might be reduced, without a struggle, to a level with those of other countries, which, perhaps, once resembled our own, and of which the forms had not long survived the substance. He was, therefore, sorry when he saw the people called from that attention which they ought always to pay to the administration of the government, to alarms for the existence of their government itself; and he now believed the old faction he had mentioned in a former debate, which, by whatever name, had uniformly pursued the same plan of throwing all power into the hands of the crown, to be spreading a false alarm of danger from one quarter to cover a real danger from another.

A case might be supposed in which it would be the duty of the people, assembled by their delegates in convention, to call upon parliament to do what parliament would not do of itself. Was it not, then, the height of madness to blunt the weapons and discredit the means to which we must resort in such an emergency? He would not quote the resistance made to King James as an example to prove that the prince on the throne might at any time be resisted. How then, it would be asked, was the obedience of the disaffected to be secured? The law had provided for the punishment of the disaffected, whenever disaffection appeared in their acts. This was the proper means of prevention; and the true answer to all that had been said about suffering the mischief to grow to a head. To put the law in force, was it necessary for the House to declare that they believed in the existence of a conspiracy against the government on evidence which they should have been ashamed to listen to? At the Lancaster assizes, Mr. Walker and other persons were charged with a conspiracy, which if true, would have amounted to treason. The evidence, it was feared, would not be sufficient to make out the charge of treason; but, on the principle adopted under some of the Stuarts, it was thought that it might be sufficient for a charge of a less heinous nature, and they were indicted for sedition. The only witness, when he came to be examined, was such a

witness that the counsel for the prosecution themselves were ashamed of him, and the defendants were honourably acquitted. But had parliament before that trial declared their belief in the conspiracy with which those gentlemen were charged, a jury, prejudiced and misled by such a declaration, might have found a verdict of guilty, on the testimony of a witness, who, in the common course of law, was held to be unworthy of any credit. Much horror and remorse, he conceived, must those who advised the prosecution have felt in such a case; and although they might have obtained a remission of the sentence, they could not have repaired the injury done to the defendants. For these reasons he objected to that part of the address which declared the belief of the House in the conspiracy, and should move to leave it out. He objected, also, to the declarations of loyalty as unnecessary, but should not vote against them.

An argument had been urged to which he should not attempt an answer, namely, that the second report from the secret committee being stronger than the first, the second, by the rule of three, would justify a stronger measure; and the suspension of the habeas corpus having been voted on the first, there could be no objection to voting an address, something less strong, upon the second. This mode of reasoning, though very disputable in logic, was conclusive in numbers, and therefore he should not divide the House on his amendment. The party who now governed France had usurped their power and still maintained it, by the alarm of numerous royalists existing in the country,—an alarm as false as the alarm of numerous republicans being in England. The principle in both cases was the same. By propagating the alarm of republicans here, ministers obtained powers that would not have been granted, and drew around them the support of persons who would not have voted for their measures under any other circumstances. He saw things in both countries with vulgar optics; in England a general and steady spirit of royalty, from a sense of the blessings derived from a limited monarchy; and in France, a general and desperate spirit of republicanism, from a recollection of the oppression suffered under despotism. Ministers, to gain supporters in carrying on the war, wished to reverse the picture, and make the House believe that France was full of royalists, and England of republicans. If this alarm were not kept up, the people would attend to the policy and the conduct of the war; they might even think that the war ought not to be persisted in; or, if we could not get out of it, that it ought to be directed by abler hands. From all these considerations, it was the interest of our ministers to divert them as long as possible.

Were there among the persons from whom danger was apprehended, any considerable number of men of rank or property? Was it pretended in the report that they had since the war any correspondence with the French? Were they connected with any faction in the state? If they were to burst into the House of Commons, it would be indifferent to them, whether they turned to the right or to the left, whether ministers or opposition were their first victims. Such men might possibly rise in a revolution, but could never create one.

In the advice he now gave, he must be admitted to be disinterested; for it would hardly be imagined that he should wish to go to the guillotine, merely for the sake of being accompanied by the gentlemen over against him. The prosecutions ought to proceed, because they had commenced; but it was not therefore necessary that parliament, as had been suggested, should be kept sitting, to echo back the information received from the privy council. Rash, and even seditious conversation, he supposed would be proved; but he trusted no man would be found so far to have forgotten his duty to his country as to have embarked in treason. At all events, the trials would be conducted, and the punishments awarded, with the dignity and humanity of British justice; and the examples, in his opinion, strike with greater force without any previous declaration by parliament. In countries where the taking off a few individuals might overturn the government, a few individuals, however obscure, might effect a revolution; but in such a country as this, where the revolution must be popular to have the most distant chance of success, nothing could be more irrational than the attempt. Suppose such persons mad enough to attempt it, the danger would be contemptible to all but themselves, and they might be pronounced fitter for Bedlam than for Newgate. This argument, however, applied only to the present time: for if ministers were to persist in this ruinous war; if the exploded maxims of divine right were to be revived; if the dearest parts of the constitution were to give way, one after another, to the convenience or caprice of the government of the day, the situation of the people would become so desperate, that the most despicable faction might provoke a revolution. What, then, did he recommend? To study the peace and prosperity of the people; to hold out to them, not the unsubstantial theory, but the practical benefits of the constitution; to shew that the first wish of the government was the real happiness of the people; to put an end to the war, and to inspire them with a love for the constitution, by exhibiting it in its native purity. To shew them

that liberty was as consistent with order, as order with liberty; and that the constitution, with all its restrictions on the executive power, the most valuable part of it, in his opinion, was sufficient for all the purposes of just subordination. This he might be told would be a degradation, and a compromise with a set of low and desperate men. In his opinion, it would not be a compromise, but a defeat. With disaffected persons he proposed no compromise. He was not so wild a speculatist, as to believe that any government could satisfy every one of those who lived under it: his advice was only to render the number of the discontented as small as possible, by removing as many as possible of the causes of discontent. Let all civil distinctions on account of religious opinions be abolished. Let dissenters find equal protection and equal encouragement. Let the rights of neutral nations also be respected, more especially the rights of America, so intimately connected with us by common language and common interest. If *ut ameris, amabilis esto* was a sound maxim in philosophy, though used by the poet on a slight occasion — if the great body of men, who were supposed to be adverse to the constitution, should be made to experience an equal protection from the laws, and an equal interest in the welfare of the country; then the small body of men who might wish for a revolution in this realm, would stand at once insulated and disavowed. They might be confined if their efforts were thought dangerous; if not, they would be scouted from society. Such were, in his opinion, the means, and the only means, to secure liberty and happiness to this country.

Mr. Fox concluded with moving, as an amendment, to leave out from the words "by the result of that examination," at the end of the first paragraph, to the words "and we beg leave to assure your majesty," at the beginning of the last paragraph.

The amendment was negatived without a division, and the original address agreed to.

Vote of Thanks to Lord Hood for his Conduct in the Expedition to Corsica.

June 20.

Mr. Secretary Dundas having moved, "That the thanks of this House be given to Admiral Lord Hood, for the important service which he has rendered to this country, by his able

and gallant conduct in the expedition to Corsica," Mr. Sheridan moved the previous question.

Mr. Fox said he felt himself under the necessity of seconding the motion of his honourable friend. He said his situation was peculiarly delicate in opposing the thanks of the House to the noble lord, as he had been engaged in political contests with him, and those of a nature the most likely to produce acrimony and ill-blood for the time; but every person who knew him, would do him the justice to say, that his conduct on the present occasion could not be influenced by any other motive than a zealous wish to discharge what he conceived to be his duty to the public. He had had the honour, upon a former occasion, to vote the thanks of that House to the noble lord, when he had acted in conjunction with Lord Rodney in the West Indies. His duty, however, called upon him at this time to vote for the previous question. He thought ministers ought to have stated precisely what it was they were about to thank the noble lord for: if it was the conquest of Corsica, certainly the taking of Bastia did not complete that; and while any part of that enterprise remained uncompleted, it would have been as well to refrain from voting the thanks of that House, which had always been considered the highest mark of honour which could be conferred upon any person to whom they were given. The thanks which had been voted a few nights before, he was sure, proceeded from the most unanimous and general sense, both of that House and the country at large; so much so, that every body would have been astonished had it been omitted to bring the motion forward upon the very first opportunity. The thanks moved this day, if they were any ways merited, he thought, ought to have been moved for long before, because all that had been done by the noble lord was known and published long before the glorious victory of Earl Howe took place. He observed, that when Martinique, in the West Indies, was taken, no mention was made of thanks to the officers who commanded; and when other places of as much consequence as Bastia had been taken, Valenciennes and Condé, the illustrious general was not thanked; and therefore he considered there must be something personal in the business. It could not be said that the Duke of York was not thanked, from any consideration of his rank, because many of the royal family had been thanked by that House for public services, and felt themselves exalted by the honour. He was inclined to think that, in the whole of the business that day, there was something rather of a political than military natue. He adverted to the trans-

actions at Toulon, which he deemed as disgraceful as unfortunate. With regard to the importance of Bastia, as connected with Corsica, to which the question at present entirely related, it did not to him appear to justify the present measure. He adverted to the capitulation, which did not tend to add any laurels to his success. With respect to the noble lord in question, he knew him to be posessed of great courage and skill, and capable of conducting the most difficult enterprises with honour to himself and advantage to his country; and he entertained that opinion of the gallant officer, that he was sure he would feel much dissatisfaction at being thanked for a service so comparatively small. Having thus given his reasons, Mr. Fox said, he wished that the previous question might be carried.

The amendment was negatived without a division, after which the vote of thanks was put and carried.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

December 30.

THE king opened the session with the following speech to both Houses:

"My lords, and gentlemen; after the uniform experience which I have had of your zealous regard for the interests of my people, it is a great satisfaction to me to recur to your advice and assistance, at a period which calls for the full exertion of your energy and wisdom.—Notwithstanding the disappointments and reverses which we have experienced in the course of the last campaign, I retain a firm conviction of the necessity of persisting in the vigorous prosecution of the just and necessary war in which we are engaged.—You will, I am confident, agree with me, that it is only from firmness and perseverance that we can hope for the restoration of peace on safe and honourable grounds, and for the preservation and permanent security of our dearest interests.—In considering the situation of our enemies, you will not fail to observe, that the efforts which have led to their successes, and the unexampled means by which alone those efforts could have been supported, have produced, amongst themselves, the pernicious effects which were to be expected; and that every thing which has passed in the interior of the country has shewn the progressive and rapid decay of their resources, and the instability of every part of that violent and unnatural system, which is equally ruinous

to France, and incompatible with the tranquillity of other nations. — The States General of the United Provinces have nevertheless been led, by a sense of present difficulties, to enter into negociations for peace with the party now prevailing in that unhappy country. No established government, or independent state, can, under the present circumstances, derive real security from such negociations: on our part, they could not be attempted without sacrificing both our honour and safety to an enemy whose chief animosity is avowedly directed against these kingdoms. — I have therefore continued to use the most effectual means for the further augmentation of my forces; and I shall omit no opportunity of concerting the operations of the next campaign with such of the powers of Europe as are impressed with the same sense of the necessity of vigour and exertion. I place the fullest reliance on the valour of my forces, and on the affection and public spirit of my people, in whose behalf I am contending, and whose safety and happiness are the objects of my constant solicitude. — The local importance of Corsica, and the spirited efforts of its inhabitants to deliver themselves from the yoke of France, determined me not to withhold the protection which they sought for; and I have since accepted of the crown and sovereignty of that country, according to an instrument, a copy of which I have directed to be laid before you. — I am happy to inform you, that I have concluded a treaty of amity, commerce, and navigation, with the United States of America, in which it has been my object to remove, as far as possible, all grounds of jealousy and misundersanding, and to improve an intercourse beneficial to both countries. As soon as the ratifications shall have been exchanged, I will direct a copy of this treaty to be laid before you, in order that you may consider of the propriety of making such provisions as may appear necessary for carrying it into effect. — I have the greatest satisfaction in announcing to you the happy event of the conclusion of a treaty for the marriage of my son the Prince of Wales with the Princess Caroline, daughter of the Duke of Brunswick: the constant proofs of your affection for my person and family persuade me, that you will participate in the sentiments I feel on an occasion so interesting to my domestic happiness, and that you will enable me to make provision for such an establishment, as you may think suitable to the rank and dignity of the heir apparent to the crown of these kingdoms.

" Gentlemen of the House of Commons; the considerations which prove the necessity of a vigorous prosecution of the war will, I doubt not, induce you to make a timely and ample provision for the several branches of the public service, the estimates for which I have directed to be laid before you. While I regret the necessity of large additional burdens on my subjects, it is a just consolation and satisfaction to me to observe the state of our credit, commerce, and resources, which is the natural result of the continued exertions of industry under the protection of a free and well regulated government.

" My lords, and gentlemen; a just sense of the blessings now

so long enjoyed by this country will, I am persuaded, encourage you to make every effort, which can enable you to transmit these blessings unimpaired to your posterity.—I entertain a confident hope that, under the protection of Providence, and with constancy and perseverance on our part, the principles of social order, morality, and religion, will ultimately be successful; and that my faithful people will find their present exertions and sacrifices rewarded by the secure and permanent enjoyment of tranquillity at home, and by the deliverance of Europe from the greatest danger with which it has been threatened since the establishment of civilized society."

An address of thanks, in answer to the above speech, having been moved by Sir Edward Knatchbull, and seconded by Mr. Canning, it was objected to by Mr. Wilberforce, as pledging the House to carry on the war till a counter-revolution was effected in France: he therefore moved the following amendment: "To assure his majesty, that we are determined to grant the most liberal supplies, for the purpose of enabling his majesty to act with vigour and effect in supporting the dignity of his crown, the internal security of his dominions, and the good faith towards his majesty's allies, for which this country has been so eminently distinguished: and that, notwithstanding the disappointments and reverses of the last campaign, we are firmly convinced that from the unremitting exertions of his majesty, and the spirit and zeal which have been so generally manifested throughout the kingdom, by a people sensible of the advantages they enjoy under his majesty's government, we may promise ourselves (by the blessing of Divine Providence) complete security from the attempts of foreign or domestic enemies: that at the same time we beg leave most humbly to represent to his majesty, that, upon full consideration of all the events and circumstances of the present war, and of some transactions which have lately passed in France, and also of the negociation entered into by the States General, we think it advisable and expedient to endeavour to restore the blessings of peace to his majesty's subjects, and to his allies, upon just and reasonable terms: but that if, contrary to the ardent wishes of his faithful Commons, such endeavours on the part of his majesty should be rendered ineffectual by the violence or ambition of the enemy, we are persuaded that the burdens and evils of a just and necessary war will be borne with cheerfulness by a loyal, affectionate, and united people."—The amendment of Mr. Wilberforce was seconded by Mr. Duncombe and Mr. Burdon, but opposed by Mr. Windham. The ill success of the war he solely imputed to the misconduct of some of the allies. Comparing the events of the present with those of former wars, he asserted that all that could be said on this subject was, that hitherto it had only been negatively successful. The most alarming circumstance attending it was, he said, that we were not true to ourselves. The political societies in England had propagated principles inimical to it. The acquittal of those members belonging to them, by a jury at the late trials, he represented in the most odious light, styling them "acquitted felons." Being

called to order, he explained himself by saying, that though proofs had not been adduced of their legal guilt, it did not follow that they were free from moral guilt.—The desire of terminating a ruinous war was strongly approved by Mr. Bankes, as equally just and indispensable; after the fruitless trial to reduce the enemy to our own terms. If no peace were admissible, while France was a republic, the war might be endless.—These explicit avowals of a disapprobation of farther hostilities, on the part of members who had hitherto coincided with the ministerial system of war, seemed to strike Mr. Pitt with great surprize. He denied the tendency of the king's speech to inculcate the continuance of the war till France re-assumed a monarchical form; though he acknowledged his persuasion, that no peace could be depended on, till a kingly government was re-established; the only safe one, in his opinion, for all the European nations.

Mr. Fox said, that exhausted as he felt himself, and disgusted as the House must be at hearing a repetition of the same arguments upon which we had been first involved in a situation disastrous beyond example, if he did not endeavour to state to the House the necessity of adopting the amendment, or an amendment of some such nature, he should be wanting in his duty. On the conduct of the war, not a word had been said. The honourable baronet who moved the address, had declined all discussion on that head, expressing his belief, that those who were entrusted with the direction of it would give the necessary explanations at a future period. The time certainly would come for those explanations, or, at least, for calling for them. At present, he wished gentlemen to consider the horrible picture which two of his majesty's ministers had given of our situation: that we were engaged, and must persevere in a contest, the issue of which involved, not territory or commerce, not victory or defeat, in the common acceptation of the words, but our constitution, our country, our existence as a nation. Viewing this picture, he was glad that truth and reason had at length found their way to the minds of some men. He should have thought it strange indeed, if, while so many had separated themselves from him on differences of political opinion, there had been none to adopt the opinions which he still retained. Those who moved and supported the amendment now said, that the House of Commons ought not, by their address to the crown, to pledge themselves never to agree to a peace with France, while the present republican government existed. Was this a new doctrine? Certainly not: but it was new to call upon the House for such a pledge. It was the first time of asking parliament to assure his majesty that they

would never think it advisable to treat with the French republic on the present system, unless in a case of such imperious necessity on the part of this country as must preclude all reasoning; and he gave ministers credit for their candour in asking it thus fairly, and without equivocation. [Mr. Pitt intimated across the table that expressions in a former address pledged the House to this.] Mr. Fox said, he wished to give the right honourable gentleman some credit for candour, but the right honourable gentleman so detested the thing, that he could not endure even the name. He knew there were expressions in former addresses that might admit of such a construction; and, aware that they would be so construed, when ministers found it convenient, he had warned, but in vain, the House against adopting them. If, in the misfortunes of his country it were possible not to sympathize, he should feel some consolation in observing the effect of double dealing; of using words in one sense, with the intention of their being understood in another; of courting the support of some men upon one interpretation, and of others upon an interpretation directly opposite. If the minister had said candidly and plainly, in the first instance, "This war is undertaken for the express purpose of destroying the French government, and, come what will, we can never make peace while that government endures," he might not, perhaps, have had so many supporters, but he would have been saved the unpleasant feeling of this day's difference with his friends. His eagerness to obtain the support of all, led him to make use of equivocal words: and now his own friends told him, that they did not interpret those words as he did; that they thought the destruction of the French government a desirable object if it could be accomplished on reasonable terms; but that if they had imagined that peace must never be thought of till that government was destroyed, they would not have voted for the war. Here was an instance of the minister's deriving no advantage from equivocation. Here, at length, was what he had so often laboured, but without effect, to obtain;—a clear declaration of the precise object of the war, and of the terms on which alone we could hope for peace.

This led to the question of policy; and, in proceeding to examine that question, he found another instance of ingenuousness. The speech from the throne, the mover and seconder of the address, admitted that we had experienced disasters in the course of the last campaign. The two ministers who had spoken on the subject, both said "they would not deny" that the enemy had over-run provinces and taken strong towns. They would not deny!—astonishing can-

dour! The accession of strength and integrity they had gained in the cabinet * inspired them with such confidence that they felt bold enough to substitute plain dealing for shuffling and equivoque — and "they would not deny" that the enemy had over-run provinces and taken strong towns — when the true statement was, that never, in any one campaign, since the irruptions of the Goths and Vandals, had such reverses been experienced on the one hand, and such acquisitions made on the other. The French had not only driven the allies from France, and retaken all the captured fortresses, but were now actually in possession of all the Austrian Netherlands, Dutch Brabant, a considerable part of the United Provinces, all the left bank of the Rhine, except Mentz, part of Piedmont, all the province of Navarre, and much of Biscay and Catalonia. — Then ministers were ready to confess that the French had taken strong towns! Were so many ever taken in any five campaigns in the history of modern Europe? He should be told, it was acting the part of a bad subject to exaggerate the successes of an enemy: he would reply, that he was acting the part of an honest member of parliament, in telling the House truths which they ought to hear, as the only grounds of deciding properly; and reminding them of disasters which, not fortune, but folly, had brought upon the country.

On the means by which the exertions of the French had been hitherto stimulated, much declamation had been wasted. If we were ever to be, unfortunately, in the same situation with the French, we should then make similar exertions, and not till then. Why not make similar exertions now? Because we had not similar motives. That we were fighting for our constitution, our liberties, religion, and lives, did very well for rounding a period in a speech; but the people would believe none of all this, nor that they who said so believed it themselves. To him it was astonishing, how any set of men who did believe it could have so worked themselves up, as to risk such a war on the wild theories they had nourished in their own minds, or the applauses of those who were but too ready to applaud upon trust. To hear them, one would think, that no nation was at peace with France, or that, if any were,

*. Previous to the meeting of parliament several changes in the administration had taken place. In July Earl Fitzwilliam was appointed Lord President of the Council, Earl Spencer Lord Privy Seal, the Duke of Portland Third Secretary of State, and Mr. Windham Secretary at War. Before the close of the year Earl Fitzwilliam was appointed Lord Lieutenant of Ireland, and David Earl of Mansfield, (late Lord Stormont,) succeeded to the Presidency of the Council. Earl Spencer was placed at the head of the admiralty, and the Earl of Chatham was made Lord Privy Seal.

it must already be undone. Was Denmark, Sweden, or even Genoa, notwithstanding our tyrannical conduct towards it, in a state of anarchy, in consequence of being at peace with France? Was America, whose own glorious constitution was founded on the rights of man? No such thing. With America the intercourse of France was great and constant; in America, French principles, more than in any other country—the principles of liberty and equality — might be expected to find a genial soil; yet America was so far from being thrown into a state of anarchy by the growth of those dreaded principles, that she had just obtained a very advantageous treaty of amity and commerce with this country—a treaty, as far as he had heard of it, which justice and policy would have dictated at any time, but which, he feared, the difficulties in which our ministers had involved themselves, rather than their justice or policy, induced them to give. Why, then, were we to be so much afraid of peace with France, when so many other nations had made the experiment without any mischievous consequences? When men were attached to theories they shut their eyes against the plainest and the strongest facts. The French revolution had now subsisted five years and a half, and in the sixth year of it we were told, that if we were to make peace with the present rulers of France, their terrible principles would spread anarchy and robbery and bloodshed, not only over this country, but over all the world. Yet, though their successes had been brilliant beyond example — and how far success imposes upon the bulk of mankind, the right honourable the chancellor of the exchequer could tell better than most men—except in the petty state of Geneva, the revolution of which he did not know to be upon French principles, not a single revolution had their example produced. To us, however, it was said, that their intercourse in time of peace would be most formidable. From Calais to Dover they would pour in upon us so many missionaries. What! had they none already here? Had not ministers told the House and the public, that for more than two years, jacobin societies, corresponding with the jacobin societies of France, had been labouring, with indefatigable zeal, to propagate jacobin principles? Happily these emissaries, who knew the habits, manners, and language of our people, had been labouring without effect; nay, he was justified in saying so by ministers themselves; for, thank God, the king's speech, for the first time these two years, had nothing of an alarm in it. There must, then, be something in the French language, so agreeable, so soothing, so captivating, so intelligible to English ears, that French emissaries would be sure of success,

where English emissaries had laboured in vain for more than two years!

On the expression—"acquitted felon," which a right honourable gentleman had used, he hoped inadvertently, since he had thought it necessary to explain it, he should say nothing of how reprehensible it was, either in a constitutional or moral point of view. Of the societies then in the right honourable gentleman's mind, he believed the truest description had been given from the Bench, namely, that "they wanted numbers, arms, money, and even zeal." This, he believed, would be found to be the accurate description of any society, formed in this country for the purpose of overturning the constitution. That there might be a few speculatists in this country, who would prefer another form of government to the present, he had no doubt: there were such in every country; and even these seldom had much zeal. But the English language would not do to seduce the people of England from their allegiance to the constitution. French emissaries must come over, and inculcate French principles in the French language. They must go among our labourers and manufactures, and, as the calamities of war had proved insufficient to rouse them, tell them they were now exposed to all the calamities of peace! The right honourable gentleman last alluded to complained of want of zeal in the country. Surely, our soldiers had not fought with less valour, nor our officers with less skill, than in any former war. Whatever bravery or conduct could atchieve, they had uniformly done; but it must be recollected, that the general exertion of a campaign depended upon the numbers brought into the field.

When he formerly made a motion in that House for peace, he found no want of zeal for war, no want of zeal to cry down any man who had the hardiness to oppose it; at least, he found enough, and knew not to what greater length it could have gone, unless they had expelled him the House, or declared him a traitor, as they seemed to think a laudable practice in other places towards any man who opposed the will of the majority. What was the cause of that zeal? Contempt for the enemy and confidence in their own strength; and the cause being gone, the effect had ceased. Such would ever be the case with zeal founded on false principles. Why were the zeal and exertions of the French less affected by ill success than ours? Ministers would answer: "They force every man into the field who is capable of serving, they strip every other man of whatever they want for the service of the army, and amid misery, wretchedness, and death, they produce an unnatural exertion by means of tyranny and terror." At the

call of necessity, even such means must be resorted to. Were a French army to land in this country, declaring that they would make no peace with us, till we renounced our constitution and accepted of a form of government according to their fancy, who would deny that every man capable of serving against them ought to be compelled to service, and that every sacrifice must be made by individuals to repel the common danger? Such acts in such cases, instead of tyranny, became a virtue; and he was surprised to hear men of correct minds deducing arguments from them, of which they ought to be ashamed. "Would we submit," it was asked, "to treat with the present government of France?" Submit to what? Submit to the French having a bad government? Had we not submitted to this for more than a century? Had we ever found ourselves uneasy under our submission to Persia having a bad government? Had we not submitted to all the injustice, cruelty and slaughter perpetrated in Poland? Then it was asked, "Would we submit to propose peace?" If all nations were to stand upon this point, no war could ever be concluded, but by the extermination of one or other of the contending parties, for one or other must submit to propose peace. But to propose peace was no submission, no degradation. Peace had often been proposed by the victorious party, and this had always been deemed an act of wisdom and magnanimity, not of concession. What were all the other degradations and submissions but lofty words and unmeaning phrases?

We had once said, that we would never treat with the present government of France. Take away this impediment to peace, and every advantage we obtained afterwards, if the war must be continued, would be something in our favour; whereas, while that remained, our successes would only stimulate the enemy to fresh exertions, by fresh sufferings and fresh sacrifices; for it was impossible to suppose that the French government would ever negociate for its own destruction. Would not this give a clear sanction of justice to the war? Would it not produce unanimity with greater zeal and exertion at home, by convincing every man that we were not at war for unreasonable or impracticable objects, but to bring an unreasonable enemy to equitable terms of peace? But what might it not be expected to produce in France, where, as ministers said, the government was perpetually changing from hand to hand, and the loss of power marked the period of life? Ministers were always speculating on the internal affairs of France; why not try a little of this speculation? The convention, they said, deluded the people by telling them that they were waging a war of extermination. To offer to treat

would put an end to the delusion, the people would open their eyes, and the convention must give them peace or meet the extermination which they were said to denounce against others.

The present state of the war was calamitous beyond example. We had gained Martinico, Guadaloupe, St. Lucia, and part of St. Domingo, in the West Indies, with Corsica in the Mediterranean. Our allies had lost all he had enumerated in the former part of his speech. If these astonishing exertions of the enemy by land had impeded their exertions by sea, it would be something; but, unfortunately, the prediction in one of the king's speeches, that their navy had received an irrecoverable blow at Toulon, was already falsified. Was it not true, that a fleet had already sailed from that port superior in point of number to our fleet in the Mediterranean? Their naval exertions at Brest had afforded Lord Howe one of the most glorious triumphs in the annals of our history. If their navy had been such as ministers represented it at the commencement of the war, viz. a navy only upon paper, Lord Howe would not have had the glory of beating an enemy of superior force. But even that blow proved not to be irreparable, for they had now a fleet at sea which it was doubtful whether we could immediately collect a sufficient force to drive from the English channel. These circumstances were matter of very serious consideration to every man who felt for the honour and safety of his country. If the war should go on, must we not expect, from what we had seen, that the enemy would again dispute with us the superiority at sea? The skill and courage of our navy he confided in as unmatched by any nation in the world; but skill and courage could not always compensate for inequality of force, and as our chance of victory was greater, so was our stake. The defeat of the French fleet, as we had so lately experienced, would be of little consequence to the general issue of the campaign, while the defeat of our fleet would be little short of absolute destruction. Why, then, expose us to such unequal risk? It was admitted, however, that when disaster had subdued obstinacy and extinguished hope, we must make peace, even with the French republic. Then, indeed, all that was now imagined of humiliating and degrading would be true; we must throw ourselves at the feet of those we had contemned and reviled, perhaps exasperated, and submit to whatever terms they thought fit to impose. Why expose ourselves to the bare possibility of such ruin? Why not renounce the visionary project of overturning the present government of France? If after that they abused the peace we made with them, we should do as we had done with France

before, contend for superiority with the same stake and the same exertion. If asked, what terms of peace he would advise, he would answer, that to adjust the terms was the business of ministers, who alone possessed the necessary information. Let them propose such terms as, on a consideration of all the circumstances of the relative strength of the contending parties, of what might be gained and what lost on either side, they should judge to be fair and equitable; and, if these were refused, we should be in a better situation than before, because both parties would know what they were fighting for, and how much the attainment of it was worth.

Another difficulty arose from the French royalists. Thank God, he was innocent of whatever might befal these unfortunate men! He had deprecated the war in the first instance, and after its commencement, every act which could give the French emigrants reason to expect our support in their pretensions upon their own country. Next, it was said: "Will you give up the West India islands; will you deliver over those men to the vengeance of their implacable enemies, who, as the price of your protection, assisted you in taking those islands?" To these questions, let them answer who had sacrificed the French emigrants fighting in our pay, in almost every garrison we had been compelled to surrender, who had thrown men into situations from which they could not be extricated, nor yet receive the ordinary protection of the laws of war. These might be difficulties to the minister: these might be reasons why he could never be able to extricate himself from the business with honour; but it was the nation's honour, not the minister's, about which he was anxious.

The honourable baronet who moved the address, had expressed his hopes of a unanimous vote in support of it. If it were to be voted unanimously, this country could never make peace with honour; if there were a division upon it, part of the country would come out clear. In his majesty's speech, there was no mention of allies; it was only said, "that his majesty will omit no opportunity of concerting the operations of the next campaign with such of the powers of Europe as are impressed with the same sense of the necessity of vigour and exertion." Who those powers might be we were left to conjecture. The Dutch, however, we were told, were negociating, and the King of Prussia, we knew, had failed. The honourable gentleman who seconded the address, had given him the credit of predicting this failure; but had added, that he himself had predicted the fall of Robespierre and various other matters which had also come to pass. The honourable gentleman might have predicted that it would be a dry summer or a rainy autumn; he resigned to him all the honour of prediction. For his own part, he had predicted nothing;

he had only used the best arguments he was able, to shew that, from the past conduct of the King of Prussia, there could be no reliance on any engagement he might enter into with us; and the event had shewn that those arguments were well founded. The minister himself would not now promise us any assistance from the King of Prussia beyond his contingent as an elector of the empire, even on the treaty of 1787. But the emperor was to make a great augmentation of his forces, by money borrowed on our credit. Why on our credit? Plainly, because he had no credit of his own. Were there no monied men in the emperor's dominions? Were the capitalists of Europe so short-sighted, so slow in perceiving the advantages of an imperial loan, that they could not see them, till pointed out by our government? They saw the advantages; but they would not lend their money, because they knew the borrower was not to be trusted. The loan was neither more nor less than a subsidy under another name, a distinction so flimsy and so trifling, as he had hoped never to have seen attempted by the ministers of great potentates.

Mark, then, the desperate situation to which we were reduced. The only ally from whom we had any hopes of efficient aid was the emperor; and from him, for the enormous sum of six millions, we might get as good and as useful a subsidiary treaty, as was our treaty with the King of Prussia last year. The emperor, it would be said, had more faith — so it was said of the King of Prussia; but he had very little confidence in the faith of the cabinet of any absolute monarch. During the American war, a noble marquis then commanding a separate army, expressed his great surprize at finding the people of Virginia so like the people of Carolina. Next year we might have to express our great surprize at finding the King of Bohemia so like the Elector of Brandenburgh. He would agree to put the whole argument on the opinion of any experienced officer who had served the last campaign on the continent, whether or not there was any rational hope of co-operation between the English and the Austrian army. They hated one another more than either hated the French; and from the battle of Tournay, where the Austrians fought the whole day, or rather stood the whole day without fighting, and the enemy were repulsed by a detachment of the British army, their mutual complaints and recriminations had been incessant.

But the finances of France were exhausted, and therefore we ought to try whose finances would hold out the longest! Into this part of the question he would not enter, because we were told the very same thing last year, and on the very same arguments. The king's speech last year said the resources of

the French were rapidly declining: but "rapidly" was only a relative term; they were again rapidly declining this year; and so they might be ten years hence. The fall of Robespierre—he seemed a great favourite on account of his power—it was said had relaxed the terror, and consequently the energy, of the French system. The fall of Robespierre, from the stress laid upon it, one would think a tale of yesterday; but when we looked at dates, we should find that he was put to death on the 27th of July, and since that time there appeared at least no relaxation of the French successes. Moderation, it was contended, must weaken their government and cripple their exertions; he believed no such thing; he looked to general principles, and inferred that moderation gave strength. Why, it was asked, were we to look for less co-operation in the interior of France than formerly? Because there was no insurrection at Lyons, Marseilles, Toulon, and, he apprehended, very little in La Vendée. Our resources, it was said, were not yet touched. No! The speech did not tell us, as last year, that the burdens to be imposed would be little felt by the people—an omission he much regretted, as it certainly was not made in compliment to his arguments on the impropriety of such an insertion. Would the right honourable the chancellor of the exchequer say, that if the war was continued another year, the people had yet felt one-tenth of the new taxes they must have to bear? Taxes were felt by the poor, and their situation was particularly to be considered, when the object of the war was so equivocal, that it might be doubted whether the attainment of it would be desirable, even if it could be attained by making peace. Ministers appeared to know every thing that was passing within France, but nothing that was passing out of it. Of the sailing of fleets from French ports, which it might be worth knowing, they had no information. Just so our hostility seemed to do every thing within France, to raise a tyrant and to pull him down, but to do nothing out of France.

The depreciation of assignats was with him an argument of little weight. He had been accustomed for years to hear that the paper currency of America was depreciated, not to one half or one fourth of its nominal value, but to nothing. His information, however, differed entirely from that of the chancellor of the exchequer on the depreciation of assignats. On the ruined state of French commerce it coincided; but on the state of industry and agriculture it totally disagreed. He was told by American gentlemen, and these by no means partial to French principles, that at no former period had the cultivation or the produce of the soil been near so great. When he heard of the maximum and the expedients con-

nected with it, he inferred that the misery and distress of the poor must be necessary consequences. He was assured, however, that the poorer classes of people in France had now a much greater portion of all that to them constituted the comforts of life, than had ever fallen to their lot before the Revolution, or perhaps to the lot of many of the poor of this country. It might be said, that his informants were inaccurate observers or false relators; but who were they from whom ministers derived their information? The very persons who, deluded themselves, had an interest in deluding ministers into the prosecution of a hopeless contest. He depended not alone upon the accuracy of those with whom he conversed. The circumstances they stated he found confirmed by the pamphlets of French emigrants.

But he did not rest his politics on the situation of France, of which his knowledge must be imperfect; he looked to the situation of England, which he had the means of knowing; he saw us involved in a war which must produce increase of debts and taxes, with no compensation even in prospect, and thought that the sooner we got out of it the better. Peace, it was said, would be insecure; we should not be able to disarm because the French could not venture to disband their numerous armies, and bring back so many men, without fixed habitations or employments, into the heart of the country. Thus were ministers reduced to this curious argument, "We ought to continue the war, because the French have an army which they cannot disband." What the effects of peace might be in France, whether the old government would be restored, or a better system established in its room, were speculations which, as a philosopher and philanthropist, he might indulge in, but never as a member of parliament or a counsellor of his majesty, adopt as principles of conduct. It was pretended that our hostility had already produced a change of system for the better; but on comparing facts with dates, we should have more reason to say that our hostility produced the system, with reference to which only the present system was admitted to be better; that our invading France had made Robespierre a tyrant, and our running away destroyed him. In giving his vote for the amendment, he should wish to leave out the words, "transactions which have lately happened in France," because we were not to treat with any set of men on account of their good or bad characters, but on account of their possessing the power to treat. If, however, the gentlemen who moved and seconded the amendment; should object to leaving out those words, he should vote for it nevertheless.

Our acquisition of Corsica, although mentioned in the speech, had not been once noticed in the debate. The mode in

which we had made the acquisition was curious. If it was valuable to the enemy or important to us, we might fairly have taken possession of it by right of conquest, as we had taken the West-India islands; but we had not done so. We had done it in a way that illustrated the doctrine in Dr. Price's sermon, rendered so conspicuous by the notice taken of it in the Reflections on the French Revolution, a book of such excellence, that a right honourable gentleman (Mr. Windham) had recommended reading it over again, having probably done so himself, as he had changed his first opinion of it. His majesty was once king of North America; he was now king of Corsica. In North America he had been cashiered, in Corsica he had been elected — so that the doctrine of electing kings, and cashiering them for misconduct, was not matter of dangerous theory, but of approved practice. Sir Gilbert Elliot convened the primary assemblies of Corsica; they chose delegates, who met with various other persons, and all had voices that came; so that the election, by his own account, was something very like universal suffrage. But this was not all — his majesty had previously determined not to withhold from the inhabitants of Corsica the protection which they sought for in their spirited efforts to deliver themselves from the yoke of France; and thus was made by his ministers to avow acting upon the famous decree of the French convention, holding out protection to the inhabitants of all countries who should make efforts to deliver themselves from the yoke of the government under which they lived — a decree which the mere circumstance of the convention having passed, without having ever acted upon it, was two years ago held forth as a sufficient cause of war with France. On the propriety of his majesty's accepting the crown of Corsica, without consulting parliament, he should say nothing at present; but he had much doubt of its ultimately conducing to the honour of this country, or contributing to the restoration of peace.

If we were never to treat with the heads of the convention, but in such extremity as left no room for choice, when could we look for peace? He wished the chancellor of the exchequer would recollect that his honour, and the honour of the country, were two distinct things; and that it was too much to wait till the hour of extremity came, merely that he might be able to say,

> —— Potuit quæ plurima virtus,
> Esse fuit—

When he proposed treating, he held it more honourable not to wait till he was beaten into it. The country was already sorely beaten; it had received wounds both deep and wide,

but the obstinacy of ministers was not yet conquered. Perhaps, as they thought upon the same principle, that it would be dishonourable to restore the conquered West India islands, they were waiting till the French should retake them. He knew not if this was their intention, but they had given the French ample opportunity.

If it were advisable to go on with the war, let us look at the conduct of it for two campaigns, and see what hope we could have of success under the auspices of those who now directed its operations. Lord Chatham had retired from the admiralty, full of glory, covered with laurels, for his able disposition of our naval force, and the active protection he had given our trade. If the boasts of last year on this subject were true, it was unfair to check his lordship in the career of his glory, and unjust to deprive the country of his services at so important a crisis. But the boasts of last year were not true; his retiring was a confession of incapacity or negligence; and if he had delayed it much longer, there would have been petitions for his removal. To the West Indies such a force had been sent, as nothing but the great abilities of the officers who commanded it could have enabled to take the French islands, and, when taken, was insufficient to defend them. To Toulon such a force was sent, as was too small for defence, and too great to retreat with honour. The projected invasion of France had been kept alive from year to year, and served only to weaken our strength in quarters where it ought to have been more powerful, without even an attempt to carry it into execution. Were our cause as good as our resources were said to be inexhaustible, with such weakness, such want of system, such hesitating, such wavering incapacity in the direction of our force, we could hope for no success.

If the honourable gentleman who moved the amendment, and his friends (for the honourable gentleman he felt great respect, on account of the part he had taken in the abolition of the slave trade, a measure in which he felt deeply interested,) thought that, in consequence of their aiding him to obtain a speedy peace, peace might be made, without an inquiry into the causes of the war, he gave them notice that he would receive support upon no such terms. He would never forego inquiry into the causes of the war, and measures to prevent similar calamities in future. This was due to the people, least, in the enjoyment of peace, they should forget their former sufferings from war, and again yield themselves up to delusion. Both the present and the American war were owing to a court party in this country, that hated the very name of liberty; and to an indifference, amounting to barbarity, in the minister, to the distresses of the people. It was some consolation to him

that he had done his utmost to prevent the war, and to know that those who provoked it could not but feel, even while they were endeavouring to persuade others of the contrary, that they must, in no very long space of time, adopt the very course which he was recommending as fit to be adopted now. In the speech, not a word was said of the navy. He should only observe, that in our present circumstances, the neglect of building a single ship that could possibly be built, was a neglect highly criminal.

The House divided on Mr. Wilberforce's amendment:

	Tellers.			*Tellers.*	
YEAS	Col. Maitland Mr. Whitbread	73.	NOES	Mr. Serjt. Watson Mr. Sumner	240.

So it passed in the negative.

MR. SHERIDAN'S MOTION FOR THE REPEAL OF THE BILL FOR SUSPENDING THE HABEAS CORPUS ACT.

January 5. 1795.

THIS day Mr. Sheridan moved for leave to bring in a bill to repeal the act of the last session "to impower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government." The motion was strongly opposed by Mr. Windham, who imputed the favourable verdict of the jury, in the late trials of the persons accused of conspiracy, to ignorance and incapacity to discern the true state of the case before them. He asserted, that the real object of the societies was to overturn the constitution, and that the principles imported from France would produce the worst effects, unless they were opposed with the strictest vigilance. The propriety of continuing the suspension of the habeas corpus act was discussed, in a long and elaborate speech, by Mr. Erskine, who concluded, from what had passed on the trials, which he accurately recapitulated, that a conspiracy had been explicitly disproved. This being the basis on which the suspension rested, no pretence could remain for its continuance; which would be to suspend the liberty of the whole nation, on the mere suspicion of some individuals. Mr. Serjeant Adair replied, that if the determination of a jury were never to be called in question, the liberty of the subject would stand on feeble ground. Parliament, he said, was clearly entitled to investigate the conduct of juries; otherwise there would be no redress against the corruption of juries or of judges, nor against ministerial oppression.

Mr. Fox said, that if a person unacquainted with the rules of proceeding in that House, had listened to the speech just delivered, he would have thought he had heard a learned serjeant pleading for a new trial, an inflammatory orator exciting to war, by a declamation on the state of France, or an admirer of the constitution opposing some motion for altering the government; but it never would have come into his head, that the speaker was attempting to prove the necessity or the use of continuing the suspension of the habeas corpus act. On this, which was in fact the whole question in dispute, not one word had been said by his learned friend. Whenever the repeal of that suspension was proposed, the proof lay all on the side of ministers; for if they could not prove, that to continue the suspension was absolutely necessary, it ought not to be continued for a moment. They were bound to do more: — they were bound to prove that it was useful. But, of what use could they now prove it to be; or what good purpose could they shew to be answered by it? Had they discovered a new treasonable conspiracy? or, having failed in their first attempt to prove treason, did they know of any new persons fit to be taken up on the old plot, and on whom a second experiment might be made with better hope of success?

It had been asked, wherein the difference consisted, between the state of the country when the suspension act was passed, and its present state? It consisted in this, that ministers had prosecuted the persons whom they considered as the principals in the alleged conspiracy; that, with respect to some, they had failed in establishing the charge, and, with respect to others, had declined proceeding. They were now called upon to say what object they expected to obtain, by continuing the suspension; for their old object was gone. Would they say, that they had prosecuted the wrong persons, that the conspiracy existed, although they had been mistaken as to who were the conspirators, and that they meant still to go on prosecuting? They could not say so, for the effect of the verdicts of Not Guilty, at least the prudential effect, as appeared by their own conduct, was, that not a single person was now under prosecution on account of the supposed conspiracy. It was unworthy of the talents of the learned serjeant to attempt to influence the House, by arguing as if it were intended to set up the decision of a jury as paramount to the authority of parliament. Was the suspension of the habeas corpus act a question of general legislation? He feared it was; for, from what he had heard, there was too apparently an intention to render it perpetual. But, on a particular case, which parliament, by what some thought sufficient ground for

a temporary measure, had been induced to adopt, would it at all derogate from their dignity to yield to the decision of juries, perhaps more in the habit, and better fitted for the investigation of evidence, and with more evidence before them? With the learned serjeant he did not, in one point of view, love to contend, because there was no man for whom personally, and on account of his constitutional principles on most subjects, he felt more respect; and few men possessed greater powers of reasoning. But, in another point of view, he loved to contend with him, because in general he stated his adversary's argument fairly. Hence the argument of the learned serjeant, and that of his honourable and learned friend (Mr. Erskine) as stated by him, were by no means incompatible, and both went in fact to support the motion. The jury acquitted Hardy, either because they did not find a treasonable conspiracy made out by the evidence, or because they did not find that Hardy was implicated in the conspiracy. Now, he contended with Mr. Erskine, that they acquitted him on the former reason. Why? Because all the papers alluded to by the learned serjeant were signed by Hardy or brought home to him as a party, and if the jury believed that those papers contained proofs of treason, they could be under no difficulty in finding that Hardy was an accomplice in that treason. Which was it more easy to imagine, that the jury did not think the papers amounted to proof of treason, or that they could not read Hardy's name at the bottom of them? The learned serjeant, in a speech chiefly intended to shew the treason contained in those papers, appealed from the jury to the House — "And here," said Mr. Fox, "let me adore the trial by jury! When this speech was made to another jury, (Thelwall's,) a speech which has been to-night received with such plaudits, that we seemed ready *ire pedibus in sententiam*, it was answered with a cold Not Guilty. Such would have been my verdict, had I been in their place; such will ever be the judgment of men consulting their conscience and not their passions. But such is the partiality of the learned gentleman for his own chain of reasoning, that he will rather believe the jury blind to the name of Hardy, at the bottom of the papers he signed, than deaf to his arguments, that these papers were full of treason." Mr. Erskine, he contended, had renounced no part of what he maintained as the law of treason, on the trials. But it was said, he had not rested the defence on that alone, which, if true, would have been conclusive — if he had omitted any point that could be urged, he would, in such a case, have failed in his duty to his clients. It was said from the bench, that the argument of Hardy's not being implicated in the conspiracy,

supposing the conspiracy to be proved, had been but little relied upon by his counsel; a strong presumption, at least, that the verdict of the jury was founded on their disbelief of a treasonable conspiracy. On the law of treason, (for discussing which at large a proper time would come,) he should only say now, that he maintained the doctrine of his honourable and learned friend (Mr. Erskine,) and the admirable maxim of Lord Coke, that *judicandum est legibus non exemplis*. He reprobated Mr. Windham's doctrine of making old laws apply to new cases by construction, which, he said, had made the learned serjeant shudder, and which no jury, no judge, he hoped would ever adopt. [Mr. Windham said, he did not mean that juries should go farther than construction was warranted by precedent.] Neither precedent nor authority would sanction the kind of construction which the right honourable gentleman had talked of, and he would recommend to his attention the advice of Lord Hale, viz. that if new cases should arise not within the letter of the treason, it would be the wisest way to consult parliament, and to be very wary of making constructive treasons by parity of reasoning; for if that practice were once adopted, no man could know where it would end. Prophetical was this expression, and to this law he adhered; for if it were not law, there ought to be an act of parliament declaring it to be so.

The inquest of a grand jury was secret, and on *ex parte* evidence. The very nature of its functions took from the authority of its decision. The finding of a grand jury was not, even in law, a bar to an action against a malicious prosecutor; much less could it be adduced as a proof of legal or moral guilt against the acquittal of a petty jury. Before a grand jury witnesses might be brought, (he meant not to insinuate that such had been the case in the late prosecutions,) that no prosecutor would dare to produce before a petty jury, where they were to be cross-examined, confronted with other witnesses, and their characters investigated. A grand jury might be deceived, not only with respect to the appearance of guilt against an individual, but even with respect to the existence of the crime charged. It was not by any means necessary that the judge or the jury should have said that the proof of the conspiracy had failed the moment the evidence for the prosecution was closed, although he should have felt no difficulty in saying so. They might think that there were matters which required explanation on the part of the prisoner, and therefore hear his defence, and when they had heard it, they could not refuse to hear the reply on the part of the prosecution.

But, were he to give up this part of the argument, and admit the conspiracy, how would the matter stand? There would then be a conspiracy without conspirators. Gentlemen of such acuteness as to define and divide our successes in the campaign could easily conceive the abstract of a conspiracy without conspirators, like Crambe in Martinus Scriblerus, who swore that he could, "frame a conception of a lord mayor not only without his horse, gown, and gold chain, but even without stature, feature, colour, head, feet, or any body, which he supposed was the abstract of a lord mayor." If they had tried every man and woman in the kingdom, and found that none of them were accomplices, this abstract of a conspiracy could not be very formidable. They had not done this in form, but they had done it in fact. They had charged certain persons with conspiring together, and with other persons unknown. Some of these they had tried, and the juries returned verdicts of not guilty. If they thought these verdicts wrong, why did they not go on? Why did they suffer others to be acquitted, without attempting to prove the charge, against whom they had as good, if not better evidence? All the guilt must now lie with the persons unknown. Did they mean to drag these persons to light, and bring them to trial? They would not pretend they did. They ceased to prosecute, because they were satisfied they could not convict. They had, therefore, virtually acquitted every man and woman in the kingdom, except the few whom the juries acquitted of this treasonable conspiracy, and nothing but the abstract of it was left. Was it to guard against the abstract of a conspiracy that the habeas corpus act was to remain suspended, and the people deprived of the best safeguard of their liberties? A right honourable gentleman (Mr. Windham) had given an explanation of his former words, "acquitted felon," but an explanation as unsatisfactory as the expression itself, and had asked how others could rejoice in such acquittals? "For my own part," said Mr. Fox, "I hardly remember when I felt joy more nearly approaching to exultation than on these acquittals. I rejoiced that the country was rescued from the foul stain attempted to be fixed upon it. I rejoiced that we had escaped from the perils of constructive treason. I rejoiced that the people would see through the slanders by which they had been deluded into a ruinous war; and, as I believe they have done, more in consequence of those acquittals than of any other circumstance, recover from their delusion, and wish that war at an end." A man, it was said, might be acquitted on a misnomer, or a flaw in the indictment, which would be no proof of his in-

nocence: — granted; but was either the case in the trials for treason? To what end, then, were such grounds of acquittal alluded to? A man charged with picking a pocket might be acquitted for want of legal evidence, and yet nobody doubt of his guilt: true — because men charged with such offences might have so concealed their actions, that, although their guilt was believed, there could be no proof either of the act or the intent. But was this the case of any of the persons charged with treason? Was proof wanting of their actions, their words, nay, almost of their thoughts? On Thelwall's trial, a letter had been produced, written indeed by him, but never sent to or seen by any person till his papers were searched. This reminded him of the unpublished papers produced as evidence on the trial of Algernon Sydney, a circumstance, which, perhaps, more than his merit, great as that was, had endeared his name to posterity; for it was one of the most valuable qualities of our nature to ascribe merit where we saw persecution. Every thing done, said, or written by the prisoners, had been brought against them; the jury must have acquitted them, because they could not so qualify their acts, as they were qualified in the indictment; and therefore their acquittal was a complete declaration of their innocence. A jury, it was said, was bound to acquit when doubtful. The House was now sitting as a jury on the palladium of the liberty of the subject, and surely ought in this to imitate the conduct of a jury, and not decide against it without clear proof. It was said, that to suspend the operation of it would save the necessity of bringing other persons to trial. Just such was the defence of *lettres de cachet* in France. They were only to save the necessity of bringing people to trial; but they might do this for the whole life of the prisoner. He lamented to see men whom he esteemed, accustom themselves to speak of such things with patience, for indefinite imprisonment had been the instrument of tyranny in all countries.

When the late Lord Camden, a man deservedly popular, and to whom, as a constitutional lawyer, the country had great obligations, once defended a measure of government as being only "a forty days' tyranny," how much indignation did the expression excite. Even from such a man, English ears could not endure to hear of a forty days' tyranny. But now, men could talk without a blush of suspending the safeguard of the subject against capricious or mistaken imprisonment for any length of time. It was said, that gentlemen who would not allow the verdicts of English juries to be impeached, had thought themselves at liberty to treat the verdicts of Scots juries with very little respect. When Scots

juries should be ameliorated, and put more nearly on the same footing with English juries, their verdicts would be entitled to equal deference. When, however, he read the trials of the two persons convicted of high treason in Scotland, if, indeed, it was not an abuse of words to call the trial of Downie a conviction, he had flattered himself that all alarms about treason were at an end. In Scotland, where the House had been taught to believe that the growth of treason was most formidable, he found that nothing like treason could be proved against more than one obscure man; that this man had been in the pay of government for giving information against others; and that, disgusted with his employers, or more probably with the view of enhancing the price of his discoveries, he had endeavoured to inflame the minds of those with whom he associated, and to provoke them to criminal excesses. What was the consequence? that he was almost immediately abandoned, and his conduct reprobated by the very persons he attempted to mislead, and at last fell the victim of his own violence or treachery. When he read all this, he was persuaded that men must see how unfounded their alarms had been.

But the very existence of ministers depended upon alarms. By a false alarm of the crown being in danger, they had originally come into office; by false alarms they had maintained themselves in office; and melancholy it was, that some of those who exposed their early artifices with the greatest zeal and ability, had since joined in filling up the cry. Their whole conduct had been one tissue of alarms; not a moment had they suffered to pass, not an incident to occur, without agitating the minds of the people by the most inflammatory declamations on some imaginary danger. Well had his honourable friend who made the present motion, in a style of eloquence of which he knew not how to speak in adequate terms, described their expedients of calling out the militia, suddenly convoking parliament, marching cavalry from the country to the capital, and fortifying the tower, to give a colour to their alarm of insurrections in 1792. Were any of these hidden insurrections proved on the trials for high treason? Not one. Why? Because they never had any existence but in the imagination of the deluders and the fears of the deluded. "When," said Mr. Fox, "we complain that they are undermining the constitution which they would be thought to save, they start from defence to accusation, they charge us with intending to subvert the constitution, and exultingly ask,

Quis tulerit Gracchos de seditione querentes?

When they are constantly dinning in our ears that the example of the French people ought to put us on our guard against the licentiousness of the English people, and calling upon us to prevent licentiousness by cutting down every fence of liberty, we have surely a right to say, that the example of foreign despotism ought to put us equally upon our guard against the increasing power of the crown. In what instance, they demand, has the King of England been made more like the tyrants of the continent? I answer, by the alien bill, by the traitorous correspondence bill, by the suspension of the habeas corpus act. Are these light or trivial instances, or how many more do they mean to give us? Have they yet deigned to tell us, or do their incurable and increasing alarms point out where they may be expected to stop? Thus, with their usual injustice, they charge us with intending to do what they, on pretext of preventing us, are constantly doing. The dissenters, formerly, in times at least as perilous to the family on the throne as at present, approved the firmest friends of the constitution, are now represented as its enemies, as meditating nothing less than the subversion of church and state, and the destruction of private property. The dissenters endeavour to repel the charge by rational argument and peaceable demeanour. An orthodox and loyal mob prove it upon them by burning their houses, menacing their persons, and plundering their property. Why is it that men in other respects of acute mind and sound judgment, cannot see to which side the charge of insurrection and anarchy properly belongs? It is because their understandings are blinded by excessive fondness for a system of reasoning of their own invention; because the natural love of our intellectual offspring is as powerful as our love of the offspring of the body; because real dangers make no impression when compared with the phantoms of a distempered imagination."

The separation between him and many of those with whom he had long acted in politics, and been connected by the dearer ties of private friendship, no man could lament more sincerely than he did. Those who had lately given a great accession of abilities and character to the cabinet, he was persuaded, had been influenced by no personal views, but had acted as they thought would be most advantageous to their country. But, while he did justice to the purity of their motives, he could not help observing, that they had given a deadly blow to public confidence in public men; a very serious evil to the public in his opinion. They had weakened all the reciprocal ties, by which men, who differed on particular points, as all men of liberal and active minds must ever do in some degree, were enabled to act together on a general sys-

tem of politics — the only mode in which the government of this or any other country could be conducted. They, however, had acted from their own conviction of the best means of averting the dangers with which they imagined the country to be threatened; and would, he hoped, do him the justice to believe, that in adhering to the course they had long pursued in concert with him, his motives were equally honest. It was difficult, he knew, in the present inflamed state of men's minds, for personal friendship to survive political union; but what seemed difficult was not always impossible, and nothing consistent with his sense of duty to the public should be wanting, on his part, now to give an instance. For many of them he entertained the most sincere personal regard; and with one, in particular, the noble earl appointed his majesty's representative in Ireland (Earl Fitzwilliam), he had cherished a friendship from his earliest youth, which, matured by long intercourse, and endeared by mutual kindness, was entwined with his very habits of thinking, and which nothing but the utmost violence could ever tear from his breast.

Every time the propriety of suspending the habeas corpus act was called in question, being as ministers themselves were obliged to confess, not a permanent but a temporary measure, they were bound to shew that it was still necessary. He would appeal triumphantly to every man who had listened to the debate, whether a single argument had been adduced to shew that continuing the suspension was of any use. Was it treason they were afraid of? Where did it lurk? Every step they had taken since the suspension of the habeas corpus act served only to prove that the allegations of treason were unfounded. Were they afraid of sedition or misdemeanor? Over these the suspension gave them no more power than they had before, for its operation was restricted to treason only. Many of the papers produced on the trials had been read in the course of the debate, and by those who read them maintained to be indisputable proofs of treason. Many of those papers, with very little alteration, he himself would subscribe. That which proposed calling general meetings to prevent certain unconstitutional measures specified, from being passed into laws, he would readily sign. Those with whom he had formerly acted, the friends of the late Marquis of Rockingham, had always maintained and actively inculcated the propriety of calling meetings of the people in their respective towns and districts, to discuss important matters pending before parliament, and make known to parliament, as far as it could be collected, the opinion of the people at large. The paper setting forth, that the time seemed not to

be far distant when tyranny must be resisted by force, he would also sign, but not without some correction, for he was far from looking to the event, as the writer professed to do, without fear. If such a measure as a Convention-bill were to be introduced into parliament, those who should call public meetings to oppose it, by collecting and declaring the general sense of the country, would act not only innocently but meritoriously. We dwelt on the crimes committed under the name of liberty in France, till we could see no danger but from one extreme, or were ready to pardon every outrage and excess committed on the other. Why were the errors or the crimes of a people trained under the yoke of despotism, to no ideas of justice or humanity, but the will, caprice, or passion of the strongest, to be charged upon the friends of rational liberty, as things which they approved and wished to introduce? A majority of that House had voted for the abolition of the slave trade. If the negroes in our islands were to emancipate themselves by force, who did not see to what excess beings degraded by a system of oppression below the standard of reason, and almost of human nature, would carry their power of acting for themselves, or how dreadfully they would retaliate upon their former masters? Yet, would any man affirm the cruelties they might commit to be inherent in the natives of Africa, much less that every one of the majority who voted for the abolition of the slave trade, wished them to be committed?

Between what England now was, and what France was before the Revolution, there could be no resemblance. Our people were inured to very different habits, and trained to very different feelings. Our constitution, maimed and mangled as it now was, differed less from a republican than from any despotic form of government; less from the government of America than from that of Russia or Prussia. When gentlemen talked of monarchy in Great Britain as the same in substance with monarchy in most parts of the continent of Europe, they put a change upon us by substituting the name for the thing. Our constitution was a republic in the just sense of the word; it was a monarchy founded on the good of the people, in a race elected by parliament, the representative of the people; limited in its functions and controuled in the exercise of those functions by the united wisdom of the nation for the general benefit of the nation. Let us return to the old maxims of administering such a government; let us remember that the attachment of the people to the constitution was not to be secured by alarm and terror, but by practical experience of the blessings derived from it; that wars of speculation, whether undertaken with the view of making con-

quests or extirpating opinions, were always oppressive to the greater part of the people, generally fruitless, and sometimes ruinous; that peace promoted commerce, commerce encouraged industry, industry gave plenty, and plenty content. These were maxims so old and so trite, that no man cared to dwell upon them, for fear of being told that he was repeating what he had learned of his nurse. But they were not the less true for being trite; and when men suffered themselves to be hurried away by a set of new-fangled notions diametrically opposite, could not be repeated too often. If we persisted in the other course, we must go on increasing our debt till the burden of our taxes became intolerable. That boasted constitution which we were daily impairing, the people would estimate, not by what it once had been, or was still asserted to be in the declamations against anarchy, but by its practical effects; and we should hardly escape the very extreme we were so anxiously desirous of shunning. The old government of France was surely provided with sufficient checks over the licentiousness of the people; but of what avail were those checks when the ambition and prodigality of the government had exhausted every resource by which established governments can be supported? Ministers attempted to fix upon others the charge of innovation, while they themselves were, every session, making greater innovations than that which they now called the most dreadful of all, namely, a reform in the representation in parliament. But it was the infatuation of the day, that, while fixing all our attention upon France, we almost considered the very name of liberty as odious; nothing of the opposite tendency gave us the least alarm. Those who had become converts to this new system, saw nothing but royalists in France and republicans in England. God grant they could but invert the telescope, see with the eyes of reason, and understand with the understandings of unprejudiced men!

On a division the numbers were:

	Tellers.			*Tellers.*	
YEAS	Mr. Sheridan Mr. Erskine	41.	NOES	Mr. Serjt. Watson Mr. J. Smyth	185.

So it passed in the negative.

State of the Navy.

January 6.

MR. Maurice Robinson having intimated his intention of bringing forward a motion relative to the state of the navy, Mr. Pitt said that he should not shrink from any inquiry which the honourable gentleman might think proper to institute.

Mr. Fox said, that the right honourable the chancellor of the exchequer had uttered some words which he intended, no doubt, to be considered as a challenge for inquiry into the subject of the navy; but from his conduct, there was no reason to believe he was sincerely disposed to do what he said; the manner in which he had conducted himself with regard to inquiries, gave no encouragement to any member of that House to move for any; for he had always, when his own conduct, or the conduct of any of his colleagues, had been moved to be inquired into, pompously denied the fact that was alleged as a foundation for inquiry, rested it on his own assertion, and then insisted upon it, that no inquiry was necessary. This had been the right honourable gentleman's practice hitherto, and, Mr. Fox said, he was afraid he could venture to foretel, it was thus he would act with regard to the navy. He would first loftily pretend to challenge inquiry, and then, if an inquiry was moved for, he would insist that no inquiry was necessary. But, if the right honourable gentleman saw this matter in its proper light, and had no reason to fear the result, he would find that he had every motive, for the sake of his character, his honour, his personal connections, and, above all, the satisfaction of the public, to come forward, and to ask the House to enter into this inquiry.

January 7.

The House being in a committee of supply, a motion was made by Admiral Gardner, "That 100,000 men be employed for the sea service, for the year 1795, including 15,000 marines." A discussion took place on this occasion, upon the construction of English ships of war. Mr. Robinson asserted their inferiority to the French, in the circumstance of quick sailing. Captain Berkeley admitted they were better built, but denied their sailing faster; the French models he acknowledged to be superior to the English; but these had the superiority in workmanship. Admiral Gardner,

however, allowed the quicker sailing of the French; and ascribed their superior construction to the premiums given, by their government, for the best models, which were regularly submitted to the examination and decision of the academy of sciences. But the vessels taken from them had lately been the means of considerable improvements in the building of our own.

Mr. Fox stated, that he had been accused with having made an attack upon the character of the noble earl (Chatham) lately at the head of the admiralty. He had no such intention; he had indeed said, that his public conduct was not such as appeared to him to deserve approbation, but without the smallest feeling of personal disrespect. He had last session stated grounds for an enquiry into the conduct of the noble earl; he had not lately made so minute an enquiry into particulars as he did upon that occasion, but he was prepared to state the general result, that the captures of last year exceeded the number of ships taken within a similar space in any former war, and exceeded also the proportion of the increase of our commerce. It appeared to him, that the navy ought to have been increased more in the present war than in any former period. But he was told, that from the increase of our commerce, we might expect a greater number of ships to be taken. If our commerce was increased, it afforded also the means of increasing our navy, and thereby providing an additional degree of security. Though our navy, he confessed, was large and respectable, still it was by no means what it ought to have been. At the commencement of the war, the French navy was weak, and it must certainly appear, from the result of the naval operations, that our navy had not had that effect upon the decision of the contest which it ought to have had, from its great superiority to that of the enemy. An honourable gentleman had said, that we had been lavish in our praises of the victory of the 1st of June. We had only been just. No man would accuse him with wishing to detract from the glory of that action; still, however, prudence should have dictated, that the English ought at least to have been equal to the French. The French had at present in Toulon a fleet of fifteen sail, and it was a question whether it might not be equal to our fleet in the Mediterranean, which, from its long absence, must now be considerably deficient in force and the number of its men, and he was sorry to add, with respect to British seamen, in discipline. He was told that the noble lord (Chatham) had been injured; if so, he must have been injured by his own friends, by those who had put him out of office.

He lamented that our naval exertions had been obstructed by an ostentatious display of zeal in the land service. Up-

wards of 20*l.*, he understood, had been given for a man; a circumstance which had greatly injured the recruiting for the navy, and which the country might afterwards have occasion to rue. It was the true policy of this country to encourage as many landmen as possible to enter into the sea service. When he heard talk of an invasion, an event which he had not been accustomed to regard with great apprehension, he must own that he would feel much more secure from a certain superiority at sea, than from any number of land forces. When to all the disasters we had experienced at sea, he added the glaring deficiency of intelligence, which had appeared in so many instances, he must own, that he could not give to the noble person lately at the head of the admiralty, credit for all the diligence that had been ascribed to him. He always understood that the French ships sailed faster than ours; in this idea he was confirmed by what had fallen from the gallant admiral. He had learned both from him and from the honourable captain, that we owed to French models the improvements in the construction of our ships. We were indebted to both the gallant officers for bringing French prizes into our ports, and thus enabling us to improve by the superior ingenuity of the enemy. But, it surely was not very flattering to the science, industry, and glory of the country, to be obliged to improve by others, and to be content always to imitate. He was told, that it did not belong to the admiralty to attend to the construction of ships. He did not care to whom it belonged; he had a right to expect attention to this particular from the executive government. He always understood, that the admiralty had the superintending power with respect to whatever related to the navy. He was entitled to ask them, why measures had not been taken sooner to improve the construction of our ships? The period of war was urged as an argument why these measures could not be taken at present — the very circumstance which, in his mind, weighed most powerfully that they should be adopted without loss of time. He was told, that no improvement could be introduced with respect to ships already built, or that were now upon the stocks; but he should deem it a most criminal neglect, if care was not taken to set on foot the building of new ships upon the improved construction, in every dock in the kingdom, and indeed wherever it was possible; and this, he trusted, would be the first measure of the new board of admiralty.

To all that he had stated, he had heard no other answer than what had been given last year, an enumeration of the ships taken, including those we had got by capitulation at Toulon. But it was not a pleasing circumstance, that one of our own ships of the line had fallen into the hands of the enemy,

a circumstance which had not often happened in former wars to this country; only one had been taken during the whole course of the American war, when we had to contend against the combined naval force of Europe, and that had been retaken. With respect to the admiralty itself, the character of the noble lord had been more injured by his colleagues than by any other person. It had been said, that nothing would be more pleasing to that noble lord, than to have an inquiry instituted with respect to his public conduct. A general wish of that sort had so often been expressed, and the particular proposition when brought forward defeated by some particular consideration, that much stress would not now be laid on such a declaration. If the noble lord was, indeed, the able and diligent character he had been held out, it could only be said, that he had the most injurious colleagues, and served the most ungrateful public, since the former must have consented to remove him from a situation which he occupied with so much credit, and perhaps no change was ever so generally approved by the latter.

Mr. Fox concluded with declaring that the navy of England was of more importance now, than at any former period. The whole of the campaign ought to teach ministers the inefficacy of military operations. He had been told, that there were ships ready to be sent to sea, if sailors could be got to man them. He trusted that this was not the fact, that steps would be taken immediately to procure more ships and more men for the service, and that no diminution of the military force would be considered as too great a sacrifice, in order to extend the scale of our naval exertions.

Army Estimates.

January 21.

THIS day Mr. Windham, the new secretary at war, presented to the House the estimates of the army. These amounted, including the regulars, the militia, and the new levies, to 150,000. The expence of maintaining it was computed at 6,652,000*l.* He accordingly moved, in the committee of supply, that the army establishment for the present year should consist of the number stated. The motion was opposed by General Tarleton and Mr. Hussey: the latter gentleman moved, That the chairman do leave the chair and report progress. Mr. Pitt said, that in order to en-

able the navy to make a proper impression on our foes abroad, we ought to place ourselves in a state of complete security at home, which could be done only by keeping a formidable army on foot. The expences arising from this necessary measure were, doubtless, great, but the dangers thereby averted were much greater. True it was, that the confederacy had suffered severely; but this country not only maintained its superiority on the seas, but had, in the midst of every pressure occasioned by the war, increased both its commerce and its resources, in a manner that opened the most promising prospect of being able to carry it on with the utmost vigour, and that afforded the strongest presumption of terminating it finally to our honour.

Mr. Fox said, that if the right honourable gentleman had had the good fortune to be minister of this country in the reign of Queen Anne, when we had, by the wisdom of our measures, gained such military reputation, and which he hoped, we should never lose;—if he had been minister, as his illustrious father was, at the end of what was generally called the seven-years war;—if he had the reputation which his father had established for securing North America to this country for a time;—if he had gained in proportion as he had lost;—if he had acquired as much glory by his political conduct as he had entailed upon himself disgrace,—he should then, Mr. Fox said, have had some doubt whether the stile and tone of the right honourable gentleman could have been justified: prudent it could not be in any man, at any time, under any circumstances; but what would the House think, and what would the people feel, when they found such a man coming forward under such circumstances? What was to be said of a minister who asked, and that with a tone of authority, for the confidence of the House in this prosecution of the war? A minister who had been so unfortunate, at least, as to see every one of his predictions reversed by events; who had year after year, regularly and constantly, pursued measures the most wild, extravagant, and dangerous, which experience taught us to be so, and which had brought us into a situation that, in point of real calamity, was, perhaps, never equalled in this country at any former period. That such a minister could have the hardihood to claim further confidence was astonishing. It was adding insult to injuries. It was telling us that what the country suffered he regarded not; that what defeat, disgrace, or disaster befel us, he minded not; for, that under them all, his spirit remained unbroken. Nor was he content with this, for he affected to cast ridicule on those who opposed the war, by saying that it was the fashion with them to call this war calamitous and disgraceful: Now, he should be glad to know, if it was the fashion, who was the

cause of it? Would the minister deny any one of the statements that were made of the disastrous events by which the war had been so unhappily distinguished? Would he deny that the object for which the war was undertaken on our part was lost? Would he deny that we had met with disappointments and defeats, misfortunes and disasters, which were unequalled in the history of the world? Would the minister shew one event in the whole course of the present winter that could be construed in our favour? Not a week had passed without producing a gazette giving some account of our misfortunes. But what reply had he made, what colouring or excuse had he offered, for the numerous disasters which had been quoted even in the course of that day? The rich territory of Flanders had been lost in the last campaign; not by a sudden incursion of the enemy, but by a series of battles and sieges, bloody on both sides, and disastrous to the defeated armies beyond all parallel. The whole of Germany, on the southern side of the Rhine, had been lost, with the single exception of Mentz. A great part of Spain, and of Italy, was now in the possession of the enemy; and some of our West Indian conquests were recovered from us. Did these losses, either collectively or individually taken, amount to nothing like disaster? This was the man who asked for the confidence of the House in future, and who affected to treat with levity the sentiments of those who did their duty to the public, and who said what they thought, that the present war was calamitous and disgraceful.

'And what was our prospect at this moment? The minister said, that in some sense, this was our last stake. What did he mean by that? Had he the same object now in view, as he professed to have at the commencement of the war? Would he now seriously tell the House, that he had any hope of effecting a counter-revolution in France? Was not that object lost for ever? Was it not given up by every power in Europe except Great Britain? Had not every one of them virtually, by their actions, acknowledged the French government, while we stood alone, vainly and foolishly attempting to prevent it, by which we had brought ourselves to the verge of ruin? He remembered in what manner the minister, some time ago, used to answer objections that were made to his administration: he affected, with a manner half modest and half assuming, to say, that with all the defects that might be urged against the conduct of the government, the country was in a prosperous condition. Little merit as there might be in such a declaration, when urged by way of argument, yet it taught us to reflect on our condition now, and to make us feel that if any merit of the minister had brought us to a

state of prosperity, there must be some fault in the same person who had brought us to the verge of ruin.

He remembered, he said, the calamities of the American war, and, at the time, he thought them great, but now, when he compared them with the calamities of this war, they sank into trifles. He then said, that ministers were to blame: such appeared to be the general opinion, and Lord George Sackville and Lord Sandwich were removed: something of this kind was the case with regard to the late first lord of the admiralty, but that was not the case with respect to the minister at war, on the contrary, a third secretary of state was appointed, seemingly for the purpose of keeping the conduct of the war in the hands in which it was before; and to the same hands which managed the last glorious campaign was to be entrusted the care of the next. And what were the people of the country to expect from all this? The ministers themselves, or their friends, continually told us, that the British arms had been well conducted; if so, our hopes must be at an end; for, with all the advantage of such good conduct, the result to us had been only calamity and disgrace. By whose fault we had been brought into this situation was not a matter of the same importance as the question, what means we should pursue in future? He, for one, was ready to declare, that all the blame appeared to him to be attributable to ministers; for, if ministers were accused, and some general, or any other officer, was to blame in the conduct of the war, it was an easy thing for ministers to say so; but if, with brave troops, good generals, faithful allies, and good conduct, this was our situation, there remained, with respect to the prosecution of the war, nothing but complete despair. Having said this, he came to take notice of the situation of our troops in Holland. Whether the Dutch entered into negociation with the French with or without our knowledge, was a matter that must be explained hereafter; but when we knew that such was the case, it was the duty of ministers to take care that the British troops should not be left in a situation where they might be sacrificed: the best thing that could be done in that case, was to give the army as good winter quarters as could be provided, and as speedily as possible bring it back to England.

With regard to the effect of the proposed vote, he was one of those who were willing to assent to it if necessary, provided that could be done without crippling the navy; but as it possibly might have that effect, the better way would be to enquire into that fact previously; and therefore he should support the motion of his honourable friend, that the chairman should leave the chair, report progress, and ask leave to

sit again. The minister was sanguine as to the powers of this country to raise money, and, Mr. Fox said, he was so likewise; but the greatest difficulty he had was about raising the men, and he was well assured that the great bounty which was given to volunteers in the army, had a bad effect on the service of the navy. He was sorry to be compelled to say, that on comparing the preparations for this with the preparations for other wars, the army had in this much more than its due proportion, when contrasted with the navy. Now there never was a war when the exertions of this country should be so much directed to the navy as the present; and what was every man to conclude from the vote which was proposed that night, but that we were going to send thousands of British troops out of this country to be slaughtered in Germany, or imprisoned in France? Was not that true? Had not that been the case this campaign? He had no intelligence except what the gazettes afforded, from which he found the loss of the British troops to be dreadful. He hoped that no more of them were to go to the continent, for of the two alternatives, if the one or other must be adopted, he would rather that English money should be squandered, than that English men should be slaughtered.

Mr. Fox then took a short view of the conduct of administration since the commencement of the war, and maintained that they had pursued many measures which were highly injurious to the interests of this country, and omitted many by which those interests might have been highly benefited. And, after all, was it not more than a British House of Commons ought to hear, that a mighty army was to be put under the direction of men who had gone so far towards the ruin of their country, and who would not give so much as an account of their conduct? What, he would ask again, did the minister mean by an affected sneer, that it was the fashion to call this a disgraceful war? Would he attempt to deny that assertion? Would he say it was not disastrous, calamitous, and disgraceful? Would he compare it with any other in which this country had ever been engaged? Would he compare the events of it with those of any other? Town by town lost, army by army defeated! Here Mr. Fox entered into an enumeration of the losses of Valenciennes, Condé, and the various other places, until he came to the fate of Holland, in all which he saw nothing on the part of administration but arrogance and incapacity. He did not wish to say any thing of himself, but he had no doubt that if his counsel had been followed, even a long time after the war had commenced, we might still have saved Holland. Was he to be told, that it was the fashion to call this a disgraceful

war? It was the fashion with him to say what he knew, and it ought to be the fashion with the people to express what they felt.

With regard to the finances and resources of this country, he admitted them to be great, but he desired it to be remembered also, that the debt which we already owe was extremely great; and if we proceeded much farther in this ruinous war, it might come to be a question, What were the resources by which we might pay off the interest of our debt and support the government? This war had deeply affected our resources already. It had affected our manufactures in a very considerable degree; if the minister doubted it, a right honourable gentleman near him, (Mr. Windham,) could give him some information from his constituents of Norwich, upon that subject; but if that was the case with regard to our own manufactures, before we lost Holland as an ally and a customer, what was to be the case now, that Holland had got into the hands of the French? He had heard it said, that the credit of the two countries was inseparably blended; that in particular the bank of England and the bank of Amsterdam, were, in point of concern to us, one and the same thing. This was the language held out in order to get us into this war; he admitted it was not used by the ministers, but they all suffered it to have its weight at the time it was uttered; they said nothing to shew the fallacy of it. If, on the other hand, there be no fallacy in it, what was the situation of Amsterdam, and consequently the situation of this country, at this very moment? He was sure he did not know; and he was afraid the minister did not know. He was afraid, too, that the Dutch would be of opinion, that our excessive friendship, our great good-will, had been the cause of their ruin. Indeed, there was too much reason to suspect that this was true with regard to the Dutch; but, as to ourselves, we were in a similar situation — we were the only power in Europe who refused to acknowledge the present government of France; all the others had virtually done so. We were now about to persuade the emperor, by means of six millions of money, to pretend to change his opinion upon that subject, after we had tried all other in vain upon the same occasion. Good God! that a minister who had brought us into this calamitous and disgraceful situation should come to the House of Commons, and expect confidence as to his future operations! Still more deplorable was it, that there should be a House of Commons who would hear such a proposition. In this there appeared to him to be something sadly inauspicious and alarmingly ominous. The duty of the minister was to come to that House, and to express himself only in

tones of sorrow and contrition; and the duty of that House, in his opinion, after what they had heard from the minister, was to express their indignation at his arrogance. Mr. Fox concluded with observing, that he should not have entered so much into the various points he had insisted on that night, if the minister had not, by his manner of treating this question, treated that House and the people of this country with so great contempt; for what was it but contempt to treat with levity complaints against a war, the most calamitous in which this country was ever engaged?

Mr. Pitt answered Mr. Fox. He complained of having been misrepresented, and insisted, that the misfortunes of the war did not arise from the neglect or the incapacity of ministers, but from causes which it was not in their power to obviate.

Mr. Fox said, that it was necessary for him, after what they had just heard, to enter into some explanation of what he had formerly spoken, at least upon one or two points. The right honourable gentleman complained much of having been misrepresented. Whether there was most misrepresentation in what he had said, or in what had fallen from the right honourable gentleman, he would leave entirely to the House, who had so many opportunities of knowing how much he was inclined to misrepresent objects of discussion there or otherwise. Nothing could certainly be a greater perversion of meaning, than the manner in which the right honourable gentleman had explained the use he had made of the terms "calamitous, disastrous, and disgraceful," as applied to the war: as to the two first, he believed there was nobody in or out of that House who could deny that they were applicable to the whole of the war, from its first beginning down to the most unfortunate situation in which this country was now placed; and as to the word "disgrace," he had no hesitation in declaring that he meant to apply it solely to the conduct of administration, and not for a moment had he the most distant idea of attaching it to the characters or the conduct of either the generals, the officers, or the men, who had been so dreadfully employed in those scenes of disappointment, disaster, and calamity, which, notwithstanding their greatest and best exertions, had uniformly followed the execution of every one of the miserable plans which administration had adopted for the prosecution of their favourite, though ruinous war. As to the merits of the officers and men, it had often been his happiness to have the honour of paying the tribute of praise and admiration so justly due to their valour, gallantry, and exertions; and though it might be thought in

some degree vanity in him to say it, there certainly was one reason, which, independent of all others, must induce him to be partial to their conduct; he was nearly related to many who had been the most active and placed in the most arduous situations in this war, and with others he was so much connected by the ties of friendship and good wishes, that he certainly could derive no honour or satisfaction by publishing their disgrace, even if any, which he would not allow to be the case, had fallen to their share. It was to ministers only, therefore, that he attached those severe but justly-earned epithets; they had fully shewn their imbecility, by plunging the country into the war, and their incapacity ever since to conduct it — a war which was, as far as the events had shewn, on their part, the most calamitous, disastrous, and disgraceful, that this country had ever seen.

As to the right honourable gentleman's observations about the country not being at its last stake as to resources, he would only say, that whatever the country might now be disposed to feel on that head, it was plain that the right honourable gentleman, from his words and conduct, was near being at an end, if not at the last stake, of his resources. The right honourable gentleman had called upon him to move an address to his majesty to dismiss his ministers; but that motion, from whatever quarter it might properly come, depended more on time, and on circumstances, than on the haughty suggestions of the right honourable gentleman. Whether there would be policy in bringing forward such a motion at this time, he was not to argue, but at this juncture it became his duty, and that of the House, to call upon ministers for an explanation of their conduct, before they voted six millions more of their constituents money into hands that had proved themselves so miserably inadequate to the conduct of the war, and so utterly unfit in every respect for the trust and confidence so repeatedly asked by and reposed in them. As a member of parliament, he had a right to fix blame upon ministers, and to call upon them at least for explanation. One thing, indeed, he was glad to hear from the right honourable gentleman, and that was, that when that House should think fit to address the king to dismiss his present ministers, the right honourable gentleman would be ready to comply with their wishes. His happiness at such a removal he might fairly state, without the least idea of being suspected that he wished to become his successor, in such a situation as his misconduct had placed the country. Every one who knew him, must be convinced that he had no violent desire of office; but they must indeed think him growing old, even to dotage, who could possibly attribute to him the ambition of carrying on the war, upon the principles adopted

by the present administration; or who could imagine that he could by any possibility envy the right honourable gentleman his situation. We were now reduced to the absurd situation of appearing to all Europe to be the only power which refused to attempt a negociation with the government of France; every other power had virtually recognized the republic. He had not that vitiated taste for ambition to wish to proceed on the foundation of the present ministry; but on the other hand, he would not say, that if the public thought that no one was more able or fitter to undertake the conduct of affairs, or if abler men should refuse, that he would not undertake it, even in the present desperate situation of affairs; he should think it his duty, and should not hesitate to say, that he imagined that, from some little experience, he might undertake to conduct the affairs with somewhat more of propriety than the present administration had done. But till the public thought with him, he could not be a useful servant, nor act in a manner either agreeable or honourable to himself.

He could not decide how far a point of honour might lead ministers to keep the troops in Holland; but he could say nothing on this subject, till he had had an opportunity of examining how far good faith had been kept with that republic. He did not think much stress could be laid on the argument on the frost, as he did not believe the case of unusual severity could be made out to the extent to which it had been with so much confidence stated. The exultation which had been attributed to him on our misfortunes, was a subject so stale that it scarcely deserved notice. He had not exaggerated our calamities; he had expressed himself strongly, because he felt strongly; and it would not be just or honourable in a statesman, if he did not endeavour to represent to the people their actual situation. In the American war, the same charge had been brought against him; it was then said, as now, that he must exult in our misfortunes, because he had predicted them. This was not fair; how were men to use their wisdom, or to apply their prudence, if not in pointing out what are likely to be the consequences of the actions of men entrusted with the guidance of state affairs? He did not wish to lower the spirit of the people, or to make them despond; but he would warn them to look at their situation, and examine if proposals could not be made, which might produce the blessings of peace. He had always been adverse to those ministers who had increased the load of our national debt, and the burdens of the taxes. He was not sorry that he had opposed administration, both in the American and present war; for this he had the consolation of having done his duty according to his own conscience; and for all other sort of approbation, he left it to the country to do him whatever justice

he was thought to merit. He believed that Holland might have been with ease preserved, if we had shewn a disposition to negociate at the beginning of the war. Though he was not one of those visionaries who believed it possible to establish universal peace, and though he had prepossessions in favour of continental connections, yet, he thought it was an honour to have been in the minority on the question of war, not only on this but on many other occasions. He asked who were the best friends to the country, those who attempted to conceal from the people the dangers to which they were exposed, or those who stated fully those dangers, without inculcating despondence? With respect to the question before the House, it was true that he was pledged to them to support an armament, but not the distribution of it; he was only pledged to the support of the increase of the navy, even if it were necessary that the army should be diminished.

BILL FOR THE CONTINUANCE OF THE HABEAS CORPUS SUSPENSION ACT.

January 23.

A BILL having been brought in to continue the act of last session, "to impower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government," the second reading was this day strongly opposed by Mr. Lambton, Mr. Jekyll, Mr. Francis, Mr. Curwen, Lord William Russell, Mr. Erskine, Mr. Fox, and Mr. Grey. The measure was supported by the attorney-general, the solicitor-general, Mr. Hardinge, Mr. Serjeant Adair, and Mr. Pitt.

Mr. Fox said, he had come down to the House full of curiosity, to hear what case could be made out to justify the renewal of the bill; for although he had heard much declamation on the subject, in the preceding debates, he had found so little argument, that he conceived it must have been all reserved for the present occasion. In one respect his curiosity had been gratified. Some of the arguments were not only new, but the most extravagant, perhaps, ever uttered in a House of Parliament. The attorney-general had said, that the object of the bill was, not to give a power of taking into custody and prosecuting persons who might be guilty of treason, but to give a power of arresting and confining persons in cases of inchoate guilt, and preventing them from completing the crimes they would otherwise commit. This was a principle as inconsistent with English law, as it bore a near resemblance

to what had been the former, and was too much the present practice of a neighbouring country, which for several years had been paying the penalties, and expiating the crimes, of an absolute monarchy. This argument was not even supported by the bill of last year; for that went directly to the taking up and prosecuting of persons supposed to have committed acts of treason. To adopt such a system of prevention was to desert all the principles and policy of our ancestors, in favour of the infernal policy upon which the bastiles and dungeons of tyranny had been peopled. It was to say, "We will take up men out of mercy and kindness, because we think them likely to commit crimes; but this very mercy shall immure them in prisons, and cut them off from society during our will and pleasure." Members of parliament were excepted; but might not any other man be deprived of his liberty by the will or mistake of ministers, as much as in any country where there existed a power of arbitrary imprisonment? It was said, that no man could be taken into custody on suspicion of a crime of which he had been previously acquitted; but ministers, upon their own arguments, must consider the persons lately acquitted of treason as more likely than any other to commit acts of treason; and what security was there against our seeing that which had been declaimed upon as the climax of French injustice, viz. men who had been acquitted, and imprisoned as suspected? The whole went upon the new French principles, which characterized every fresh act of ministers, while they were holding them up as the grand object of alarm. What but caprice could prevent them from taking these men again into custody? They would not take up Hardy — Why? Because, when men abandoned the plain road of the constitution, they were involved in eternal contradictions. It was admitted that a conspiracy to levy war was not treason, and then it was asked, "Shall we not prevent the mischief by taking the parties into custody before war is actually levied?" The law said distinctly, You shall not take them into custody as guilty of treason; this was all the answer necessary to be given; and to say otherwise was to calumniate the statutes of Edward III. and Charles II. He was the less surprised to hear the law calumniated, when he heard the same persons who did so, calumniate those who were charged with the administration of the law. They talked of juries respectfully in words, but what was their argument? "We will not try any of the persons implicated in the charges against the persons lately acquitted; but if any shall be guilty of similar offences, them we will prosecute, and take our chance of the verdict of another jury." Thus they would reduce trial by jury to

something of equal value with a trial by chance. Those who in colourable words so talked of the effects of the institution, he could not but suspect of disliking the institution itself. His learned friend (Mr. Serjeant Adair) had said, that the cross-examination of witnesses on the trial had been permitted to a latitude beyond all precedent. By whose fault? The fault of the court undoubtedly, and if the court was to blame, let the court be censured, or rather let his learned friend own fairly the principles of those with whom he now acted, and say, "When the court and the law are in our favour, they are entitled to all possible deference, but when they happen to be against us, we owe them no respect." The entire speeches and evidence of the learned gentlemen on the trials had not convinced the juries, and parts of the one, with scraps of the other, should not convince him. He would venture to assume, that they who heard part of the argument and evidence, and that only upon one side, could not form so good a judgment of the case as the juries who heard the whole. All the means of prosecution and of evidence were in their hands; all the persons whom they thought fit to prosecute had been acquitted; they acknowledged the acquittals to be so decisive, that they did not think it adviseable to prosecute any more; it was not, therefore, very fanciful to say, that every man and woman in England had been acquitted of the alleged conspiracy; and, notwithstanding all he had heard, his ideas were too gross and concrete to conceive a conspiracy without conspirators. The arguments of those who opposed the bill were said to be few. They had on their side the law and the constitution, and were only called upon to refute the strange arguments brought against them. If original arguments were ever so abundant, he would disdain to use any, for he was not so presumptuous as to set up any theory of his own in preference to the law of Edward III. and of Charles II. To suppose that any number of the people of this country were disaffected to the constitution was a calumny. The House was called upon in 1795 to suspend the habeas corpus act, for correspondence with France which had taken place in 1792, two years before the first suspension was proposed. Ministers themselves owned that even in the suspected societies the greater part were deluded by the few, who, under the mask of parliamentary reform, wished to lead them to subvert the government. What did this prove, but that the people were so well affected to the constitution, that no man durst speak openly against it? Had there been a period since the accession of the house of Brunswick, when there were fewer persons in this country disaffected to his majesty's person? Was any such period likely to occur? At what time, then, could they

hope for the restoration of the habeas corpus act? Better would it be, to say at once, that they had taken their last leave of it, and that the state of Europe was incompatible with a limited monarchy in Great Britain. Were we to wait till the London corresponding society dissolved themselves? Ministers would say, that the dissolution was only a pretence. Were we to expect the death of all the members? Few as they were, they would have successors; for, till all governments were perfect, and all men wise and virtuous, there would be discontented persons in every country. Under arbitrary governments the discontented were more numerous, though less active, and consequently apparent; but, when the awful crisis came, then it was found, that curses had been uttered, not loud but deep. In 1768, 1769, and 1780, there had been popular tumults, which the authority of the civil magistrate could not suppress; but, since the epoch of the French revolution, the source of all our alarms, had there been a single instance of resistance to civil authority, except, indeed, when the zeal of loyalty was exerted to burn the houses of dissenters?

Mr. Fox asked, how any man of sense or humanity could talk of the persons lately acquitted, as having experienced the mercy of their country? Was it mercy to be torn from their families, to be imprisoned for six months, and then turned out into the world again, their means of subsistence perhaps cut off? They had experienced the justice of this country in their acquittal; but to talk of mercy was an insult. He paid a handsome compliment to the character, abilities, and public services of the Earl of Mansfield, with respect to whom, he understood an appeal had been made to him. He concluded with observing, that the trial by jury, and the representation of the people in the House of Commons, were the corner-stones of the constitution. The latter, he had long been of opinion, stood in need of some reform: for although it was true, that the House was capable of receiving an impression from the people, it had been most calamitously proved in the American war, that it did not receive that impression soon enough; and there were cases, such as the present war, still more calamitous, in which time was every thing, and delay might involve House, lords, king, and people in one common ruin.

The House divided on the question, that the bill be read a second time:

	Tellers.			*Tellers.*	
YEAS	Solicitor General Mr. Serjt. Watson	239.	NOES	Mr. Grey Mr. Sheridan	53.

So it was resolved in the affirmative.

MR. GREY'S MOTION FOR PEACE WITH FRANCE.

January 26.

MR. Grey moved, "That it is the opinion of this House, that the existence of the present government of France ought not to be considered as precluding at this time a negociating for peace." The motion was opposed by Mr. Pitt, who moved an amendment thereon, by leaving out from the first word "That," to the end of the motion, in order to insert these words, "under the present circumstances, this House feels itself called upon to declare its determination firmly and steadily to support his majesty in the vigorous prosecution of the present just and necessary war, as affording at this time the only reasonable expectation of permanent security and peace to this country; and that, for the attainment of these objects, this House relies with equal confidence on his majesty's intention to employ vigorously the force and resources of the country in support of its essential interests; and on the desire, uniformly manifested by his majesty, to effect a pacification on just and honourable grounds, with any government in France, under whatever form, which shall appear capable of maintaining the accustomed relations of peace and amity with other countries." Mr. Wilberforce not thinking the terms of the amendment sufficiently explicit, proposed to leave out from the word "declare" to the end of the amendment, in order to insert these words, "That the existence of any particular form of government in France, ought not to preclude such a peace between the two countries, as, both in itself, and in the manner of effecting it, should be otherwise consistent with the safety, honour, and interests of Great Britain."

Mr. Fox began by desiring the original motion and the two amendments to be read; and said, that before he proceeded to give his reasons for preferring the original motion of his honourable friend, to that which had been made by Mr. Wilberforce, though the difference between them was not very essential, he must take notice of the amendment which had been so unexpectedly made by the right honourable the chancellor of the exchequer. He said unexpectedly made; because, when the motion of his honourable friend was originally announced, which was three weeks ago, the terms of it even were settled; for his honourable friend, with more candour than prudence, had stated the precise words upon which they were to come to issue. The right honourable gentleman pledged himself to come to issue upon these words: but, however, he did not now feel so bold as he did three weeks ago;

he did not choose to meet the question directly. In his conscience, the right honourable gentleman had said, he believed the majority of the people were still for the war. This was his declaration: but the House and the public would infer from his conduct, that he had not very great confidence in the truth of his own declaration; for, instead of meeting the question, which he had pledged himself to do, he had proposed an amendment, by which he was to avoid a direct decision on it. In his speech, indeed, he still denied the proposition of his honourable friend. Then, why not fairly and openly negative it by a vote? After which, if he wished for a declaration, he might have moved his own amendment, as a specific question. He took this course, he said, to avoid misrepresention; and but for his desire of avoiding a misrepresentation which he had never incurred, he would have negatived the original question; when on the other side, the honourable seconder of the amendment confessed, that, but for that amendment, he would have voted for the original question. What, then, was the true meaning and intention of all this petty warfare, but that the amendment was designed to evade the great and material question, upon which the right honourable gentleman stood committed, and to delude the House by a little temporary concession which meant nothing? Already the matter was loaded with contradictions; the mover and the seconder were at variance; the one affirmed, the other denied, and the whole was done merely to draw us from the clear specific question, that had been for so many days in the contemplation of the House. The right honourable gentleman was undoubtedly a man of superior talents; but those talents being directed to delusion and quibbling, rather than to what was grand, manly, and open, he did not shew himself possessed of a mind equal to the circumstances in which he found himself. Instead of meeting the exigency of our present situation with measures proportioned to our critical condition, he seemed only anxious, by a little evasive management for the day, to gain over a few votes of irresolute members, as if a few votes more or less could alter the eternal nature of truth and falsehood, or to baffle a few petitions that might be coming to parliament, as if by lulling a few individuals into a continuance of their apathy for a time, he could extricate the nation from the deplorable situation into which he had plunged it. These were not the resources of a great mind; this was not the conduct of a statesman in a moment like the present; it was as false to himself in policy, as it was unworthy of the occasion; for it could serve only to deaden the feelings of mankind for the day, and would collect

the public indignation to burst upon him with greater force when the moment of delusion was past.

As to the amendment itself, which the right honourable gentleman had moved, though he disliked it in many particulars, yet in some things he did not dislike it. In so far as it stated, that there was nothing in the present form of the government of France, which prevented our negociating with them, he must approve of the proposition. He had moved an amendment both this year and the last, to the same effect. Little did he think when he was making such proposition that he was only speaking the sentiments of his majesty's ministers. But these ministers, it seemed, were the victims of misrepresentation. So powerful, it appeared, was the opposition, so full of wealth, and so invested with the influence of bribes, places, pensions, jobs, contracts, and emoluments of every kind, and so much had they the means of circulating newspapers, that they had it in their power successfully to misrepresent his majesty's ministers, and to mislead and delude the public, so as effectually to taint and abuse the public mind, and to make them the unhappy objects of their misrepresentation. Now what had they done? They had for two years successively moved an amendment to the address to his majesty on the first day of the session of parliament, that there was nothing in the form of the government of France that ought to prevent this country from negociating with them for peace, and for this they had been called the advocates of France, jacobins, republicans, the enemies of their king and country, who were desirous to lower the British government and prostrate it at the feet of France, to introduce French anarchy into England, and even to destroy the constitution of England and to bring his majesty to the block. Now, however, all this was over, and it was found, though they did not know it, that in reality they were speaking only the sentiments of ministers. We were now come to a crisis when all this shuffling would be found unavailing, when these delusions would no longer succeed; their own contradiction was a good omen for the country; it proved that the unfortunate speech of his majesty at the opening of the session had made a serious impression on the public mind; and the right honourable gentleman therefore found, that he must soften and lower his language; he must now attempt to do away the effects of that absurd, impolitic, and he might say diabolical speech which he had put into the mouth of his majesty, in which our gracious sovereign had been made to stand between heaven and the happiness of mankind; had been made to pronounce the doom of millions, and to declare an almost eternal war, for no possible purpose of rational benefit to his

species; and that, too, when all the other princes of Europe, awakened from the delusion into which they had been equally led by their ministers, had seen their error, and had manifested their disposition to peace.

He desired to know what was the meaning of the right honourable gentleman's present conduct? Was he to understand that the right honourable gentleman meant to negative the proposition of his honourable friend? If he meant to negative it, why not do so by a vote? Mr. Fox said, he knew that the present administration was composed of various and discordant characters. He did not know whether they all agreed in the present proposition; it would soon be seen whether they did so or not; but he could say that it would not redound much to their honour. If he were to describe it he should say, it went far enough to disgrace the new colleagues of the right honourable gentleman, but not far enough to restore to him the confidence of the country. On the argument that had been used upon the occasion, he should have little to say. There had been so much novelty in the right honourable gentleman's conduct that day, that he had not thought it necessary to introduce any novelty into his reasoning. The same trite, hackneyed, and refuted arguments, with which they had been fatigued so often, were again renewed. France was declining fast in her resources, and this was a matter of rejoicing to England! How long were they to go on rejoicing in this decline? Their assignats were at a discount; there were a number of royalists; and much ridicule was thrown upon a simile of an honourable gentleman, who had truly said, that all the same nonsense had been talked during the American war. But it seemed we had been successful in France. The various revolutions that had been produced in France had been effectuated through our means. This was a most singular argument, and went perhaps farther than the right honourable gentleman intended; for it so happened that those revolutions had been good or bad, in proportion as we had been beaten or prosperous. Whenever we had made the slightest impression upon France, or had the appearance of temporary good fortune, it was sure to be followed by, and perhaps to have produced, some dreadful revolution, accomplished by the horrors of massacre and devastation. But, on the contrary, whenever we had been defeated and forced to fly from the territory of France, they had never failed to subside into a comparative tranquillity, and to have their internal condition meliorated. The argument of the right honourable gentleman was, therefore, that if they would permit him to go on in a system of disasters and defeats, it was incalculable what good it might do in France. Thus, when the Duke of

Brunswick had penetrated to within sixty miles of Paris, there happened the revolution fatal to the monarchy, of the 10th of August. When we were in the possession of Toulon, there happened the shocking and diabolical massacres at Lyons: but no sooner had we evacuated the place, than they began to make atonement for the scandalous devastations. Immediately after the battle of Fleurus, there happened the fall of Robespierre; and certainly it was true, that in proportion as we had been discomfited and driven from the French territory, whenever the French felt themselves relieved from our attack, they had exerted themselves for their own deliverance from internal tyranny; and nothing could be more natural than this; for, animated by the enthusiasm of the cause of liberty, when attacked, as they were, they gave up every consideration, but that of preserving their independence; but when relieved from this fear, they had as constantly rid themselves of their domestic tyrant.

It was said that ministers never had proposed to themselves the conquest of France. The conquest of France never was imputed to them; it was only said that they had proposed to themselves an object, which nothing but the conquest of France could obtain. He had long ago stated his opinion on the extravagance of that proposition, and his sentiments were in print. Surely any man who ever did flatter himself with the possibility of making any impression on France must now be convinced of his error! A remarkable expression used in the course of the American war was most applicable to the present; it was said by a member of that House, so early as the year 1777 or 1778, that "he had looked at the American army every way; he had looked at their front, he had looked at their rear, he had looked at their flank, and he could not accommodate himself any where:" and yet, after this opinion of a general officer, the war had been continued for four or five years. In the same manner, we might truly be said to have tried France: we had tried the East, the North, the South, and we could not accommodate ourselves any where. He hoped in God we should not continue the experiment, as we had done in the case of America. It was said, as an argument against the proposition of his honourable friend, that it would bind the hands of ministers in negociating. It would certainly be impossible for them, after such a resolution, to say to the persons holding the government of France, that they could not treat with them; but so far would that be from binding their hands, that it would remove an obstacle, and surely it could not prevent them from stipulating the terms of peace. In truth, without this declaration, there would be an

obstacle in the way of treating, since the persons holding the government of France knew, that it had been uniformly declared by our ministers, that they could not treat with them.

But the consistency of the House of Commons stood in the way! He thought that there might now be an end of such declamatory nonsense. In all questions of policy, nations must yield to imperious necessity: it would be obstinacy, and not honour, to persevere in an opinion, when you became convinced that it was wrong; it was plain that men might at first have thought the present war just and necessary, who were now convinced of the contrary; and surely they would act more consistently with the rules of honour, to confess their errors the moment they were convinced of them. But there was nothing more curious than to hear the right honourable gentleman talk of the consistency of the House of Commons. What would become of his old steady friends, "existing circumstances?" In the case of Oczakow, he had not hesitated to retract without a blush, when he found the public opinion against him. He came forward and said, that our means were not equal to the object: why could not he, therefore, now compare the object with the means? Surely the disasters that had happened, and the change in the present case, more than in the Russian armament, would justify him for retracting his opinion. He would do it with great advantage to himself, it would give vigour to England, and take it from France.

But why, it was said, should we be the first to negociate? It would be a humiliation forsooth, to propose to treat because we were unsuccessful. Upon this principle, it was almost hopeless that we could ever treat; for could it be expected that the French government would be the first to propose to negociate when they knew that our ministers had twenty times said, that no possible peace could be made while they continued in power? Let Englishmen ask themselves what would be their feelings, if the same language had been used to us that we have used to the French? If, for instance, they had declared in the convention that they never would treat for peace with England until there should take place a reform in the government of England;—would not every Englishman die before he would submit to ask to negociate under such a declaration? Yet such a declaration we had made towards France. We must, therefore, do away the effect of our arrogant and impolitic expressions; and he had no hesitation in saying, what he believed in his heart, that if we took away that obstacle, we should have peace; or if not, we should

fight them upon equal terms; we should take from them the cause of their enthusiasm; we should take from them that which aroused every national feeling, which had carried them to those unparalleled exertions that had astonished and confounded the world. They would then no longer feel that they had to fight to extremity, or that they were besieged in their own country, for daring to give to their own country such a government as they liked.

Did he propose to unman one ship? to disband one regiment? No, on the contrary, his proposition was to add vigour to the country; and surely we should fight as well after we had made a declaration, that it was not our intention to reduce any people to slavery. Nor should we treat for peace upon worse terms, if we were to treat before we were reduced to extremity. Mr. Fox referred to the history of the war of King William, and his having had the wisdom to conceal his design of altering the French government. The want of security for the continuance of peace might be pleaded for going on with any war. There was no positive security. Certainly we should have as much security now as in any former instance. If peace were to take place, the French must disband their armies, and if the mighty machine, which nothing but the diabolical confederacy of despots had erected, were once stopped, it would be impossible again to put it in motion. If this country had acted right, and had interfered to prevent that diabolical confederacy, all might have been well; France, though perhaps a more powerful neighbour, would have been less obnoxious; the king might have been now upon his throne, and all the horrors and massacres that had desolated that unhappy country might have been prevented. He ridiculed the idea of the influx of French principles into this country, for our own constitution could only flourish here; it had been more deeply rooted in our affections by the fatal experiments that had been made in France. He called to the recollection of Mr. Pitt, the memorable expression of his venerable father, that they should die on the last breach before they granted the independence of America, and that the first act of his political life was to sign that very independence which his father had deprecated. Necessity dictated the act, and he must now retract in the same manner his system with respect to France. Mr. Fox concluded by saying, that he certainly preferred the motion of his honourable friend, which he had opened and supported with such luminous argument and irresistible persuasion, to the amendment of Mr. Wilberforce; but, at the same time, that amendment should have his support, if the House thought fit to prefer the one proposition to the other.

The question being put on Mr. Grey's motion, the House divided:

	Tellers.			Tellers.	
YEAS	Mr. Sheridan, Mr. Whitbread	86.	NOES	Mr. Neville, Sir W. Young	269.

So it passed in the negative. A second division took place on Mr. Wilberforce's amendment, which was negatived by 254 against 90. After which Mr. Pitt's resolution was put and carried.

KING'S MESSAGE RESPECTING A LOAN TO THE EMPEROR.

February 5.

ON the 4th of February Mr. Pitt presented the following message from his majesty:

"G. R.

"His majesty thinks proper to acquaint the House of Commons, that he has received from the emperor strong assurances of a disposition to make the greatest exertions for the common cause in the course of the next campaign: but it is represented on the part of his imperial majesty, that these efforts cannot be made without the assistance of a loan, which his imperial majesty is desirous of raising on the credit of the revenues of his hereditary dominions, under the guarantee of his majesty, with the concurrence of parliament, to the extent of four millions; and it is stated, that such a loan, in addition to his other resources, would enable his imperial majesty to employ against the common enemy the force of 200,000 effective men. His majesty is of opinion that, on these grounds such an arrangement would be beneficial to the common cause; but his majesty thinks that it would be still more advantageous, if, by the means of a similar loan to a larger extent, the emperor should be enabled to employ a force still more considerable: and his majesty has directed his minister at Vienna, to express his readiness to recommend to his parliament an arrangement founded on that principle. — Some temporary advances which his majesty was induced to make for the immediate supply of the Austrian army, under the pressure of unforeseen circumstances in the latter part of the last campaign, will be included in any arrangement of this nature. As soon as the negociation is concluded, his majesty will not fail to communicate the result to parliament; but, as any measure of this sort is necessarily connected with the consideration of the provision to be made for the current service of the year, his majesty has thought it right not to delay making this communication; and he relies on the zeal and public spirit of his faithful Commons, for taking such measures as, on full consideration of all the circumstances, they may think most conducive to the immediate interests of this

country at the present conjuncture, and to the great object of re-establishing, on secure and honourable grounds, the peace and tranquillity of these kingdoms and of Europe."

On the following day Mr. Pitt moved, "That an humble address be presented to his majesty, to return his majesty the thanks of this House for his most gracious message, and for his condescension and goodness in having been pleased to communicate to us the state of the negociation in which his majesty is engaged with the emperor: To assure his majesty, that when his majesty shall be enabled, according to his gracious intention, to lay before us the result of that negociation, and the arrangement relative to the temporary advances made by his majesty in the latter part of the last campaign, we shall proceed to take the subject into our further consideration with the serious attention which it will deserve: That, in the mean time, we think it our duty to express to his majesty the strong sense we entertain of the advantage which might be derived to the common cause from the vigorous co-operation of a powerful Austrian army in the next campaign; and to offer our humble opinion to his majesty, that, if it should appear likely that that advantage may be effectually secured by enabling his majesty to guaranty, under proper conditions, a loan to be raised by the emperor, to such an amount as may be thought reasonable and proportioned to the extent of his efforts, the adoption of such a measure may be essentially conducive to the immediate interests of his majesty's subjects at this conjuncture, and to the great object of re-establishing, on a secure and permanent foundation, the peace and tranquillity of these kingdoms and of Europe."

Mr. Fox said that, after what had happened in that House that evening, he hoped he should not now be considered as exulting in the calamities of his country, if before he spoke upon the subject of the message, he requested the House to advert to what he had said in the course of the last session of parliament. He begged of the House also not to suppose that he was now speaking the language of passion or peevishness, as he had been told on a former occasion he was doing, when he talked of the calamities of this country. He hoped the House would give him credit for what he said, that we were this day in a calamitous situation. This was what the House ought to feel when they were called upon to vote away, by millions at a time, the money of the people of this country. He hoped and trusted that the House would do him the justice he deserved; more he did not ask: which was, to reflect that less than twelve months ago, at that unfortunate period when parliament agreed on granting a subsidy to the King of Prussia, he called upon the House not to adopt such a measure; and he said, that large as the sum was which was then asked for that subsidy, the consequence would be, if it was granted, that applications would come from other quarters,

and to a still larger amount. Had not the event justified what he had said? He laid no claim to applause for what he had said on that occasion; there appeared to him no extraordinary sagacity required to make the prediction, as it was termed; it appeared to him to be the natural result of what was then going on. The right honourable the chancellor of the exchequer had commenced his speech upon the subject now before the House, with some general observations upon the policy of this country having certain continental alliances: he was ready to own, that in a view of general policy, it was prudent with regard to the interest of this country, and that especially in opposition to France, continental alliance for us was, generally, a good rule; but, like all good rules, it was subject to modification by circumstances. To be so bigoted to any rule as not to allow that circumstances might alter it, was the highest absurdity in politics. The right honourable gentleman had expressed a great dislike to the practice of pushing arguments to extremes, and yet he himself had carried his argument to an extreme indeed: for he had said, that it might as well be asserted that the emperor would break his engagement in the year 1895, as to say that he would break it in the year 1795, and that any modern power in Europe would be faithless to its treaty, because Carthage had been so. Mr. Fox said, he never did push an argument to that extent, nor had he any necessity for doing so in making observations on the treaties into which this country had entered since the present war: he thought he could see a closer connexion between Prussia and Sardinia in the way of treaty for subsidy from this country, than between Carthage and the emperor. With regard to what the right honourable gentleman had said that night, he asked the House if they did not recollect that last year on the subject of the Prussian treaty, it had been word for word the same. This shewed us that the opinion of the right honourable gentleman was never to be altered by events; and here he must advert a little to what the right honourable gentleman had said last year upon the subject of the Prussian treaty. He had then said a great deal upon the faith of the King of Prussia, his interest and his inclination; upon that occasion, much was said on the fame of the King of Prussia, and the security we had from his desire for military glory, and from the interest he had in the contest. We all knew how the event happened upon the subject of that unfortunate treaty; and he confessed he believed that arguments which had been used then in favour of the King of Prussia, and those which had been urged this night in favour of the emperor, were just as applicable to the one as to the other of those two princes.

The right honourable gentleman, in the beginning of his speech, had said something touching the war; now, whatever he said upon that subject naturally excited curiosity. He had said, that the majority of the House thought with him that peace was unattainable at present. That might be the opinion of the majority of the House; but certain it was, that the right honourable gentleman himself had, a few nights ago, prevailed upon the House to evade that very question, by the amendment which he had moved upon a motion made with a view of settling that very question; and, therefore, it was rather too much to say in that House what was the opinion of the majority. The next thing to be considered, was the right honourable gentleman's observations on the speech of M. Tallien in the national convention of France. By the way, he did not think the right honourable gentleman's information upon that subject was correct; but supposing it to be so, it amounted to nothing, for the whole of what was said, in the way that Tallien was alleged to have said it, was only the assertion of a man who might speak upon a particular point any thing to answer a purpose which he had in view, when he was, as it was well known he was, opposed on that point, in that convention, by Cambon. The evidence of two men, contending for power in the way they were contending, he did not consider to be such as that House ought to rely on in the discussion of the important subject which was now before them: he therefore must intreat the House to be cautious as to the credit they gave to any account of the decay of the resources of the French: the resources of the French might fail, but it was the great business of that House to take care that the resourses of England should not fail in contending with France; and would the right honourable gentleman say, that if this loan were entered into, and should be eventually paid by this country, it would be possible for us to carry on the war for many years to come? It was said, that the money to be advanced for the loan could not be applied with advantage to the service of the navy. Possibly not for this year, but could it not be kept in reserve for future years? We ought to look to the means of continuing the war for any number of years that might be necessary. It was said, that with the whole six millions we could not add a ship or a man to our navy at present. This was a little difficult of proof; for he doubted very much whether the application of some of that money to the service of the navy might not be very efficacious even for the present year; in future years it certainly might. But let it be enquired whether the right honourable gentleman's doctrine upon this point, although probably false with regard to our navy this year, was not strictly true with re-

gard to the navy of France. Did the right honourable gentleman himself believe that the naval exertions of France were in any degree cramped, although in future it was to be hoped they might be, for want of pecuniary resources? Did he think that France would now have a greater naval force if she had no continental armies to oppose the last campaign? The navy of France, notwithstanding all the exertions she had been obliged to make by land, was as great as her comparatively small commerce, and perhaps want of naval stores, (which she did not want because she could not pay for them) would permit, and there was no ground whatever to suppose but that in the course of the present year, it would be as great as money could make it.

With respect to the general policy of employing foreign troops in this war, he could not help arguing, from experience, that little reliance was to be placed upon them. The right honourable gentleman knew how much of the money of this country had been already squandered for such aid; and every body knew what had been the conduct of our allies. It had been confessed that there were points in the conduct of the Austrians difficult to explain. He believed it not only difficult, but impossible to explain those points in any satisfactory manner. It was no wonder the right honourable gentleman declined entering into a detail of conduct which involved every thing that was suspicious. But ought he not, before the House voted such an enormous sum of money, to give some account of the conduct of the Austrians before Tournay? Ought he not to assign some reason for their precipitate evacuation of the Netherlands, and that too, against every remonstrance of the commander in chief of the British forces? And afterwards, when the British army had been obliged to retreat, and by the apparent diminution of the French force there seemed to be a favourable opportunity for acting offensively, ought he not to give some account of the surrender of the captured fortresses? Ought not a British House of Commons to have these things explained before they reposed this unlimited confidence in the House of Austria? In the latter part of the campaign, it was said the Austrians acted better. Possibly they might, for then they began to be paid for their trouble; but was it not notorious, that the Duke of York was left at only thirty miles distance, to judge of their intentions by speculations on their movements, as he might have done of the intentions of the enemy? Was not this recorded in the London Gazette; and did it not stand as a proof that there was no amicable concert or co-operation between the Austrian and the British army? Were these points to be explained or were they not? Or was the House to be satisfied with

being told that they were difficult? What was the case at Toulon? Five thousand Austrian troops were to sail from Leghorn to reinforce the garrison, but when these troops came to the place of embarkation, the commanding officer said he had orders not to embark till he received farther directions from Vienna. When this was mentioned last year, the right honourable gentleman said it would be improper to enquire too minutely into the conduct of our allies — a very insufficient answer, as he then thought, and as it had since proved. But were we not now to have some explanation with respect to the conduct of Austria, when we were going to enter into new engagements? We were not to reason, is was said, on the present occasion, from our recent experience of the King of Prussia's conduct. The defence of that conduct, as well as all hope of future aid from that quarter, was now given up. The King of Prussia stood with the right honourable gentleman now, as he long had stood with the public, and long ought to have stood in the opinion of that House. It was now too clear to be denied, that his real object had been the partition of Poland, to aid him in the accomplishment of which, he accepted of a subsidy from this country. Might not this be the case with the emperor, who had also views upon that devoted country? But the House of Austria, it seemed, must be thought remarkable for consistency and good faith. Was it so? Read (said Mr. Fox) the two manifestoes issued by the Prince of Saxe Cobourg, in the case of Dumourier, and you will find nothing more iniquitous in all the reprobated conduct of the French. In the first, he exhorts the French people to co-operate with that virtuous man, Dumourier, in the restoration of limited monarchy, with assurances of the most disinterested aid and protection on the part of the emperor. Five days after, finding the "virtuous" Dumourier not followed by his army, as had been expected, he issues a second manifesto, recalling all the promises made in the first. Find an instance of greater perfidy in the history of the world — perfidy not exceeded by the conduct of the King of Prussia with regard to Poland. This was the ally to whose faith implicit confidence was to be given, according to the right honourable gentleman, who complained of putting extreme cases in argument. He was ready to say that he would trust neither Prussia nor Austria, while their councils were directed by the same persons. This prudence, the right honourable gentleman understood very well, when he was arguing on the affairs of France, for then he frequently talked of faith, and confidence, and security; and asked what faith could be reposed in Robespierre or Cambon, or any of the men who directed the government. He always insisted then on considering the character of the parties with whom we should

have to treat, although only on the broad question of peace or war. Now, Mr. Fox said, he thought we ought to be more attentive to the character of those with whom we were to treat for alliance and co-operation in carrying on a war, than of those with whom we were to treat simply for peace, for nothing could be clearer than that less security was necessary for the purposes of making peace, than for making an alliance to carry on a war. The right honourable gentleman was offended at the expression of "*German Despots*," which he had endeavoured to turn, as if it had been meant to term every monarch a despot. He hoped, nay he knew and felt, that there was a monarch who had nothing in common with any despot on earth, but the name of king. His honourable friend, who made use of the expression (Mr. Whitbread) had stiled these monarchs properly, for they had manifested to the world that their uniform intention was to make the increase of their power the rule of their conduct. He had called the King of Prussia a despot, meaning always the character of his councils, on various grounds. He had called him a despot on account of his treatment of that brave and meritorious man, La Fayette; whom, contrary to every rule of civilized nations, he had most shamefully and cruelly imprisoned. What was La Fayette's situation now? When the Prussian cabinet thought that they ought not to bear the whole of the odium, he and his companions in misfortune were transferred to Austrian prisons. What applications had been made in their behalf he knew not; but if report said true, the cabinet of Vienna, unable to avow what they had done in the face of the world, added to the infamy of their conduct by the falsehood and cruelty of denying that they were their prisoners. He hoped and trusted that the conduct of these despots of Germany towards these men, would make a deep impression upon a British House of Commons, and never be mentioned but with abhorrence.

The right honourable gentleman had said, that the emperor had various motives for maintaining the credit of his finances by good faith, of which he gave several instances, speaking, as he that night was, as chancellor of the exchequer for the emperor, in which character he knew it was essential to deny his despotism, for the finance and the power of a despot, with respect to public credit, always ran in an inverse ratio. With respect to his interest in the war as an independent prince, he never could discover it; and with respect to his interest as head of the Germanic body, was what they had all read in every newspaper, true or not? In concert with other members of the diet he had agreed, that while preparations were making for another campaign, serious endeavours should be made to open

a negociation for peace. Such was, in substance, the resolution adopted on the proposition of the Elector of Mentz. Let it be supposed that the empire having done what we refused to do, viz. declared a readiness to negociate with the French republic, should conclude a peace: upon what side of France was the emperor, as Duke of Austria, to make his attack? If the empire were at peace with France, would it be the interest of the emperor, or would it be in his power, to fulfil his engagement with us for continuing the war? We were now in a peculiar stage of the business, and it became us to consider our situation very attentively. Four millions were to be given to the emperor, for which he was to furnish 200,000 men, and perhaps two millions more for a proportionate addition of men. Now, should it not be inquired, should not the House be satisfied that this was in the emperor's power? He knew many well-informed men who doubted it exceedingly. He believed the emperor had it not in his power; but he was sure the House ought to know that he had both the power and the inclination, before they granted him such a sum of money.

He now came to the emperor's resources, and his ability to pay the interest, which the right honourable gentleman said might be safely depended upon. To this the answer was short: if the right honourable gentleman were a better arguer — if every thing he had said were true — if even the emperor had still greater resources, he would find it difficult to persuade those who seldom judge amiss where their own interest is concerned, namely, those who had money to lend, men who were better judges of the solvency of a borrower than any minister could be. These were the men the minister should have convinced of the stability and wealth of the bank of Vienna. Had he done so? By no means. The emperor had already tried them upon better terms than were held out by the present loan, and had completely failed. He would say, completely failed; if not, let the experiment be tried again. It signified nothing to make panegyrics in that House upon the good faith and honour of the emperor, and upon the solvency of the bank of Vienna. Let the minister go into the city and hear the opinion of monied men. The answer it was easy to guess. It reminded him of what he had said the other day on the verdict of a jury: "The verdict is 'not guilty,' and that satisfies me of the innocence of the accused." The answer of monied men to the emperor would be, "I will not lend you my money upon your own security." This would satisfy him of the insolvency of the emperor. Now let it be inquired what we must actually lose, even in the event of the emperor fulfilling his engagement. He offered a high rate of

interest upon his own security. We enabled him by the proposed loan to borrow at a low rate, and as money and credit were both marketable, we lost precisely the difference. The right honourable gentleman seemed to doubt this, but it could easily be illustrated: suppose he had a ship of the value of 10,000*l.* which was to sail to the West Indies without convoy: suppose it to be taken, what would be the exact loss? Ask the insurance broker the value of the insurance, and that would be the amount of the loss. This loan was more objectionable even than a subsidy. Subsidies in general were paid by monthly instalments, and if the services stipulated for were not performed, we could stop farther payments, as in the case of the King of Prussia. But could we do so here? By no means; for if the emperor should fail at any time to fulfil his engagement, we should still be obliged to pay the whole amount of the loan. If he should fail to pay the interest, we should have to raise 450,000*l.* a year to make it good, while for the same sum we could borrow ten millions on our own account. What security had we that the emperor would be able to fulfil his engagements? We all knew that his subjects, as well as those of the King of Prussia, were unanimous in their wishes for peace. Should he listen to them, and withdraw entirely from the contest, could we withdraw from the payment of the loan? No; the credit of this country would be pledged for the whole sum, and it might be impossible for us to recover a shilling of it. The right honourable gentleman had said much on the revenue of the emperor. He wished he had stated the particulars, and the surplus after defraying the charges upon it. The Austrian Netherlands were the security offered for the former loan, but they were now gone. Did the minister himself really believe the state of the emperor's revenue to be such as to enable him to pay? If he was not able, we might pronounce as many panegyrics on his honour as we pleased, but after all we must pay for him. He instanced the case of the Silesian loan, where the late King of Prussia refused to make good the engagement to private lenders. If that monarch, for despot he must not be called, could find a pretext for refusing to pay private individuals, with how much more ease might a pretext be found between two nations? The situation of the country was indeed calamitous, but not so calamitous as it must soon become if this measure were adopted. This loan was to enable the emperor to continue the war only for twelve months. Would the minister say that this war would be terminated within that period, or that if it continued longer the emperor must not come every year for a like or a larger supply? We should remember the finances of the King of

Spain: he might, and probably would, come for our assistance, if peace was not soon agreed upon between him and the French. This was not, as he had been told on a former occasion, the language of peevishness and passion; what he had already said had been verified by the event, and what he was now saying he had too much reason to apprehend would be verified in the same manner. Was the right honourable gentleman confident that the war would terminate with the next campaign? And was he sure that this war, which he had undertaken for the sake of order, morality, and religion, and with the concurrence and for the safety of all Europe, would not at last fall entirely upon us; that we should not have to pay all the expence of it on the part of Vienna, Sardinia, Naples, Spain, and ourselves? That we should not have, in short, to pay for the armies almost of the whole world? He might be asked, if we did not do this, what should we do? He would answer, add this money to our naval strength, and depend upon our own exertions, instead of depending on treacherous allies; for then we might be able even yet to sustain six or seven more campaigns; but by the present system that would be impossible. The conduct of ministers was highly censurable for their want of caution in this war. He was of opinion, that the Dutch were not cordially with us in this war, and the event had justified the opinion. How stood the case with respect to the other powers? Were the subjects of the different states attached to this cause against the enemy? He feared that if we compared them together, we should find they were not. He had reason to know that the King of Prussia had actually refused to put his troops under the command of a British general, for fear they would revolt. He believed the same apprehension was entertained of the Austrians. He wished his Royal Highness the Duke of York could but take a chair in that House, and give them the information he was possessed of upon that subject; for he was convinced that the effect of that information would be, that we could have no rational hope of the co-operation of the Prussians and the Austrians in the next campaign. This being our situation, the question was, whether it was prudent in us to go on with such enormous loans, or to trust to ourselves, to offer peace, but to prepare for war? He was sure he knew which was the wiser course, and it was not his fault if that House did not adopt it; if we went on upon such measures as that which was now proposed, we should drive ourselves rapidly to ruin, for, in point of extravagance and folly, this measure was never equalled at any period of the existence of this country. The right honourable gentleman had stated, that this loan was not to affect the supply of the

year. So much the worse, for then the people would not now feel the effects of it, and it might come upon them on a sudden when they were unprepared for it, and the danger of that sort of delusive hope of security was one of the greatest evils that could happen to a people. He thought, therefore, that if this business was to go on, the better way would be to provide for it at once, by raising taxes; then the people would see the real situation they were in, and would know what burdens they must bear; whereas, the other mode only tended to deceive for the present, in order to make their distress at a future day the more intolerable. There were many other objections which he had to this measure, but these he might perhaps submit at a future period. Mr. Fox then moved as an amendment, that all the words after the word "desire," should be left out of the address.

The question being put, "That the words proposed by Mr. Fox to be left out, stand part of the question," the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Rose Mr. Sargent	173	NOES	Mr. Whitbread Mr. W. Smith	58.

ABOLITION OF THE SLAVE TRADE.

February 26.

MR. WILBERFORCE recalled the attention of the House to the subject of the slave trade. He reminded the House, that a formal resolution had passed in the session of 1792, that after the expiration of the month of January, 1796, it should no longer be lawful to import African negroes into the British colonies and plantations. He recapitulated the chief motives that had led to this determination; such as the barbarity of the practice, and the excessive loss of seamen in the unwholesome climates where that trade was carried on. He adverted to the reasonings adduced to prove its impolicy, and to the acknowledgment of nearly the whole House, that they were justly founded. He strongly objected to the idea, that civilization first flourished on sea coasts: some persons, he observed, had travelled three hundred miles from Sierra Leone, into the interior parts of Africa, and had discovered civilized people, inhabiting considerable towns, possessed of the knowledge of reading and writing, and of many more of the conveniences of life, than were known to the inhabitants on the sea shore. He took notice of the manifest disposition of the newly imported negroes to rise against the white

people, and of the consequent necessity of maintaining a numerous military force to keep them in awe and subjection. He concluded by moving, "That leave be given to bring in a bill for the abolition of the slave trade, at a time to be limited." He was strongly supported by Mr. Whitbread, Mr. Fox, Mr. William Smith, Mr. Pitt, and Mr. Grey. Mr. Barham moved, "That the debate be adjourned till this day six-months," and was supported by Mr. Dent, Mr. East, Mr. Dundas, and others.

Mr. Fox said, that often as the present subject had been agitated, he viewed it as of such importance, that he could not content himself with giving merely a silent vote on a question on which his heart was so much interested, and every feeling of his mind engaged. He had distinctly said from the beginning, that there was no regulation of the trade which he could assent to, except with a view to its complete abolition; and it was then he had made use of the expression alluded to in the course of the debate, "Would they consent to regulate robbery and methodize murder?" To confine themselves merely to regulation, appeared to him to be a sort of crooked policy, and a departure from the unalterable principles of morality and justice. The case had been stated, Would it not be better, if such an object could be effected, to diminish by regulations the frequency of the crime of murder, even than to prohibit its commission? His answer was, that no speculative advantage from such regulations could outweigh the great moral disadvantage of any legislature affording their countenance to murder. If there was a country in which cannibalism prevailed, ought we to bring men from Africa for the purpose of being devoured, because, by being in our hands, the trade might be attended with fewer victims than would otherwise be sacrificed to the savage appetites of those destroyers of men? Ought the British legislature to become the agents or protectors of so inhuman a traffic? The greatest evil would be removed if once the parliament withdrew their sanction from the practice of the slave trade. One good, at least, had resulted from the discussion: no one was now found to defend the trade itself.

The honourable gentleman (Mr. Barham) who opposed the original motion, had stated, that he was as great an enemy to the trade, and as anxious for its abolition, as the honourable mover himself. The African trade, he should ever contend, was a system of injustice and cruelty, which degraded every man who practised, and every legislature which sanctioned it. With respect to the question of the propriety of the time, he could not help adverting to the delay that had taken place in the House of Lords. Their Lordships might, no doubt, have their reasons for the dilatory mode which they had

adopted in treating the question: he did not know those reasons, and till he knew what they were, he was bound to respect them. But this was the very reason why the House of Commons ought not to let the question alone, but to bring it forward for fresh discussion, till something effectual should be done in the business. The resolution of the House was sent up to the Lords in the month of April, 1792; during the remainder of that session, their lordships had allotted six days to the subject, and examined seven witnesses; the next year they had allotted five days, and examined also seven witnesses; but the year following, they had appropriated only three days, and examined not more than two witnesses. It was to be remarked, that during the small remainder of the year 1792, they had done much more than in either of the subsequent years; and, if they proceeded in the same way, what day or part of a day they might devote to the subject in the present session, was a matter of nice calculation. An honourable gentleman had said, that the House had voted their resolution for abolishing the slave trade in 1796, at a late hour; a circumstance which, surely, was not by any means unusual in debates on important subjects. He had said also, that it was voted by compromise: admitting the fact to be so, the advocates for the abolition had, undoubtedly, as great a right to an equal share of the benefit of that compromise as their opponents. But the House had not only come to this resolution, but had come also to several others, tending to the gradual abolition of the trade; such as putting an end to the foreign trade. But all this the honourable gentleman said the House had done, trusting that, previous to the year 1796, they might come to their senses. If they were mad in coming to these resolutions, and trusted that, previous to the period when they were to be carried into execution, they would come to their senses, this was the most singular species of insanity of which he had ever heard. But there was another circumstance which deserved attention. At that time the table of the House was covered with petitions from all parts of the country. Was it, then, only to get rid of the public pressure of the petitions that they had come to these resolutions? If the House did not effectually follow up their resolutions, their conduct would most certainly admit of such an interpretation; nor did he know how he should be able to refute it. It was a serious thing, that a body subsisting upon public opinion, which he contended to be particularly the case with the House of Commons, should preserve the consistency of their character, and the respect their proceedings ought at all times to be entitled to. Had any thing been stated by the opponents of the

abolition to prove that the former calculations of the honourable gentleman, (Mr. Wilberforce,) with respect to the possibility of keeping up the supply of slaves without any additional importation, were fallacious, or to show that they were not as solid as they appeared to be persuasive and convincing? Another argument had been drawn from the existence of the war, and the danger apprehended from the slaves. Do you wish then, said Mr. Fox, to increase the number of those whom you dread? The most dangerous slaves had always been described to be those who were newly imported. When the importation should be abolished, the condition of the existing slaves would be rendered better, and the ground of their discontent removed. But an honourable gentleman had said, that they would be dissatisfied if the importation from Africa was abolished; that the day of the arrival of the new slaves was to the others a day of joy and of triumph. He did not know the fact, nor was he disposed to envy the pleasures of any description of men; but he could not, upon any principle, account for such an infernal joy, such a detestable jubilee, as the honourable gentleman had described. In proportion as their numbers were few, it was natural to suppose that they would be more likely to be better treated. If, however, they were so extremely ignorant, so miserably short-sighted, as to feel any satisfaction from the arrival of other slaves, their infatuation and blindness were no grounds why the House should not decide, by putting an end to the slave trade, that the days of their jubilee, arising from the accession of companions in wretchedness, should be for ever terminated. But it had been stated, that, during the war, the trade had been suspended. If such was the case, it was only necessary to pass a bill in order to prevent its renewal. The effect of such a bill, it was contended, would only be to revive the trade; but this was pushing the argument to a pitch of extravagance to which he could not assent. It was, indeed, saying, that even if the bill was passed, it would not prevent the importation of slaves. He was aware how exceedingly difficult it was to carry into execution any measures that militated against the private interests of individuals. But the same thing applied to all prohibitory and revenue bills; such as those which imposed restrictions on smuggling, &c. If they took so much pains for the object of revenue, ought they not to do as much in a cause on which the honour and reputation, and if the honour and reputation, the existence, of the country depended? Much had been said by the honourable mover which had received no answer. If the French should succeed in their plan of training, disciplining, and arming the negroes,

might it not be necessary for us to oppose them by the same means? In such a situation, we should surely have much more to hope from having treated the negroes with kindness and confidence, than from having adopted the contrary system. In that view of the subject, if we continued to bring new slaves from Afrira, we were in fact importing not so much wealth and strength, but so much weakness, discontent, and rebellion. Mr. Long had mentioned, in his History of Jamaica, that the newly-imported slaves were the most dangerous. In proportion, then, as we increased the importation, we increased the danger. If all sense of humanity was extinguished, if justice had lost its empire, the House ought to pass a bill prohibiting the importation, in order to remove the danger. Much had lately been urged of the danger arising from the importation of French principles. The importation of men smarting with a sense of recent wrongs and injuries, and not taught to expect any milder treatment than that which they had already experienced, was more dangerous than the importation of any French principles whatever. Every fresh importation of slaves from Africa was a new ground of hope to the French, and of danger to the British possessions. With respect to what had been urged of the situation of the slaves being much better than that of the lower orders in this country, he did not carry his philanthropy quite so far as to be prepared to vindicate the continuance of the trade upon any such reasoning. Why did not we send our own countrymen to share in the blessings of a situation which was stated to be so much better than their own? Why should we go so far as Africa to force the poor negroes from their native soil, in order to place them in a situation preferable to that of the subjects of this country? Why should we be so wild in our beneficence, as to tear them from contented misery, and obtrude upon them a happiness which they disliked? In short, he had heard no argument against the abolition, that was founded on fair and ingenuous principles. He had heard one argument, that the means now proposed were not the most proper means to bring about an abolition. To this he had only to answer, that when they had an important object in view, it was natural for them to take the most plain and obvious means of arriving at their end. He thought that, even if they should not succeed in the object of effecting a complete abolition, it was material to do away the greatest of all evils, that of a British parliament giving countenance to the existence of a crime the most atrocious in the records of history. No moral evil could be greater than that those who argued for injustice, violence, robbery, and murder, when they could not avail themselves of reasoning, should

be able to urge on their side the authority of parliament. On this ground, he considered as highly meritorious the declarations of the honourable mover and of his honourable friend, that they would not let the subject sleep, but revive it by fresh discussions, till they should succeed in effecting their object of a complete abolition of this infamous and disgraceful traffic.

The question being put on Mr. Barham's motion, That the debate be adjourned till this day six months, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Jenkinson, Sir W. Young	78.	NOES	Mr. E. J. Eliot, Mr. W. Smith	61.

Mr. Wilberforce's motion was consequently lost.

MR. FOX'S MOTION FOR A COMMITTEE ON THE STATE OF THE NATION.

March 24.

IN pursuance of the notice he had given,

Mr. Fox rose to move, that the House should resolve itself into a committee of the whole House to consider the state of the nation. Similar motions, he observed, had often been made, though they seldom had been effectual; and undoubtedly some allowances ought to be granted, nor ought the House ever, in truth, to agree to do it, without having reasons stated to them of strong political necessity, arising from the circumstances of the country, the relative situation of other countries, strong instances of misconduct in ministers, or such other grounds as should justify the representatives of the people in resorting to one of the most solemn modes of inquiry known to the constitution. There were some circumstances, he was aware, in which that House would not agree with him in opinion; but there were others in which he believed there would be but one sentiment. Whatever opinion gentlemen might have formed of the general state of Europe, and of our prospects from the prosecution of the system in which we were engaged, however they might clash as to the measures to be pursued, there was one object in which they must all unite, namely, that such was the present state of this country, that it was of the utmost importance that the House

of Commons should stand high with its constituents, and that it should acquire their confidence by the attention and regard which they paid to their essential interests.

With respect to the motion he was about to make, it was not a new one; he had made a similar one in the year 1777*, a time which was then considered as critical and perilous; and though the House did not think it expedient to accede to his motion, they could not resist the great truth of the danger in which the country stood, and in which they felt themselves by the surrender of our army at Saratoga. If the situation of the country was considered as critical and perilous then, how comparatively insignificant were the dangers of that moment to those of the present! Misfortunes now threatened every part of the empire. Though at that time the majority differed from him as to the cause of the misfortunes of the country, they did not think it becoming the dignity of the House to decline going into an inquiry at so awful and momentous a crisis; they thought that they could not discharge their duty to their constituents, when great expence was to be incurred, and great risks to be run, by refusing to inquire into the state of the nation, by which all the strength of our means would be fairly compared with the justice and value of the object to be obtained, and a retrospect would be had of the conduct of those who were entrusted with our affairs.

It was obvious that there was now much dissatisfaction in the country, not arising from the influence of French principles, about which, undoubtedly, there was much difference of opinion, but from the natural effect of a system which had produced so much misfortune and disgrace: a consequence which all the events of the war had served to heighten, as well as all the measures taken at home. There was not a mere majority, he said, there was almost a unanimity in favour of loyalty; but still there were some dissatisfied minds, and their number was daily increasing. These dissatisfactions had not manifested themselves by plots and conspiracies, the existence of which he always had and still doubted; but they did exist, and their origin was not affected to be concealed. They arose from the idea that the House of Commons was not the representative of the people—not even virtually the representative of the people—for they did not take upon themselves the guardianship of their rights, nor shew the smallest alacrity in the superintendance of their interests. If such an opinion had gone forth, what better argument could the persons who were desirous to gain proselytes have,

* See vol. i. page 95.

than, to say, that even at such a moment as the present, the House of Commons could sit still without bringing the executive government to account; without even going into an inquiry into the real state of the nation, and into the measures which had uniformly produced such calamity and disaster? This argument would be greatly strengthened by the known fact, that the general wish of the people was for peace, and that even those who were originally the most loud and vehement declaimers for the justice and necessity of the war, were now eager for opening the door to an immediate negotiation, and for the return of peace, and no longer anxious to catch at obstacles to treaty, but were truly and feelingly convinced that peace, if it could be obtained, was an object to be coveted above every advantage that could be gained by the war. If, when the public opinion was so changed, the House should maintain a blind and implicit confidence in ministers, and should only shew themselves desirous of imposing burdens on the people, and of supporting measures which were to induce new burdens, not only without driving ministers to negotiation, nor even to account for the millions of money and oceans of blood which they had squandered, but resisting a motion to inquire into the use that they had made of the confidence already granted them, what must be the advantage which was given to all the persons in the country, who were desirous to spread the dissatisfaction which they felt, and to prove their assertions, that that House was in reality lost to all the functions for which it was designed? There were no means by which their arguments could be so well countenanced, and by which they could so effectually spread the dissatisfaction which they themselves felt. In what way, except by invidious distinctions of declamations against the present ministry, could men like himself, who loved the British constitution, be able to defend it? How could they say that the constitution was essentially good, when the House of Commons suffered such a train of misfortunes to pass before them, not merely without punishment, but without inquiry? They might be asked what they had to say in excuse for their supineness, or what possible answer they could give to the just charge of relinquishing their duty, and of resisting the general voice of the people? They might say, that the constitution could not be essentially good, under which less attention was paid to the people even than in arbitrary governments. He had always thought that the best defence of the constitution of England was, not that it tallied with the theories of speculative men, not that in its letter there was more appearance of regard to the abstract ideas of liberty than was to be found in its spirit and practice; but that its best defence

was its essential uses, its best character was, that it had produced substantial happiness to man. Take away this argument, and leave it to those who were dissatisfied with our government to call upon its defenders to look at its practice, and to say that our executive government had gone on for two years in a system which involved an expence of blood and treasure beyond comparison, in an object which had been never explained, by measures which had uniformly failed, in which every one event had been marked either by disaster, or disgrace, or by both; and that at the end of this time the House of Commons abetted the government in the continuance of the same course, and it would be in vain to contend that the theoretical beauty of the constitution could be illustrated by its practice. They would naturally say, If this constitution be practically good, what constitution can be practically bad? What was the true character of a bad government? That the measures of a prince, though wicked and flagitious, might be persevered in for a time against the interests of his people. This was not always true; for the most despotic princes had not always been able to keep their ministers in defiance of the indignation of the country. If it were possible for the ministers of Great Britain to persevere in their measures, under such a series of disasters as we had suffered, not only without responsibility, but even without inquiry, then the most just accusation against despotic governments would be applicable to this; and thus the advocates for the British constitution would be deprived of their very best arguments for its defence.

Convinced of this, he thought, that if he did nothing but state to the House, that we had been now two years engaged in a war, in every part of which we had failed, in which all our measures had been disastrous, in which we had lost the object for which we at first pretended to undertake the war, and in which our enemy had gained more than the wildest imaginations of those who drove us into it, ever ascribed either to their ambition or to their principles, he should require no further inducements to prevail on a House of Commons that was eager to discharge its duty, to go into a committee on the state of the nation. He would not, however, content himself with this general argument. An inquiry into the state of the nation would divide itself into various branches. It would be impossible for him, in the course of the short time that he could hope to engage their attention, to go through the detail of all the circumstances which forcibly called upon the House to go into this inquiry; he should state only a few, but these, in his mind, would be sufficient to induce them, if they regarded their duty, to agree with him in his

motion; for he owned he did not think it possible for any description of men to commit their reputation so far as to assert that they had done their duty to their constituents, if they refused the inquiry.

The state of the nation, (continued Mr. Fox,) as I have just said, is undoubtedly to be considered in various lights. First of all, as to our own resources with respect to men; with respect to money; and with respect to the using of those men and that money for the purposes of the war in which we are engaged. But these resources of men and money, and the manner in which they are to be used, are not only to be considered by themselves, but we are likewise to consider from whence those resources flow — the state of population, manufactures and commerce, and the general prosperity of the country. When we have done this, we must go next into a consideration of our connections abroad. We must take a survey of our allies, the dependence to be placed on them, the situation of those allies, and the state not only of their will, but their power to act, and to serve the common cause. And even when these points are considered, there will remain others of equal importance to be discussed: I mean with respect to the principles on which we have hitherto carried on the war, and on which we are likely to continue it. It is material when we are engaged in a war, particularly of this kind, which has been qualified by so many different epithets, and on which the eyes of mankind are so peculiarly fixed; it is material, I say, that in such a war we should invariably maintain the character of moderation, humanity and justice, without which it is impossible that we should also support the character of vigour and exertion, of wisdom and prudence. These are part, and not the least important, of the resources of a country. They are important in another view, because it is essential to consider whether we have carried on the war with justice and vigour, with wisdom and prudence; and though I believe the contrary will turn out to be the case; yet if it should appear that the war was not only just in its origin, but that we have acted in the prosecution of it vigorously and wisely, then I am afraid the result will be complete despair. If our conduct in the management of the war has been marked with vigour and wisdom, and we have been more than two years exhausting our resources ineffectually; I wish to know, if neither from a change of measures nor a change of councils, I have any reason to look for better success in the future operations of this war; I wish to know, I say, what other inference I can draw but that of absolute irremediable despair? If that be the case, the result of an inquiry into the state of the nation will be, that confidence

ought to be given to the king's ministers. For however calamitous the present state of the country may be, if it was brought about without any fault of theirs, undoubtedly confidence ought not to be withdrawn from them. But even in this case an inquiry will be material, because it will lead to a discovery of the true causes of our failure, and of the present distresses of the country, and prove the necessity of abandoning the pursuit of an object, which experience has taught us cannot be obtained. The enquiry will be even advantageous to ministers, by shewing that they have acted with justice, wisdom and vigour, in the steps which they have taken, though they have been unfortunate in the result. But if it should turn out, as I suspect it will, that ministers have not acted according to any of the principles I have now stated; if it should appear that they have neither acted with justice and humanity, nor with wisdom and vigour, then it is possible that the object may still be obtained, though the means must be varied. But, as I have already said, if ministers have acted with justice and vigour, then the result must be perfect despair; and it belongs to this House to force ministers, if unwilling, to abandon an object, which a period of upwards of two years has proved to be unattainable. For that object, which experience has shewn cannot be accomplished by ordinary means, must be bad, and ought no longer to be pursued.

Now, Sir, with respect to the first branch, I have premised, that it is impossible for me to state with accuracy to the House the loss of men in this contest; and if the House goes with me into a committee, I should certainly wish to have laid before them an accurate return of the loss of men since the commencement of the present war. First, with respect to the loss of the British as the most important part of the subject, we have had a paper laid before us this session, which, from what appears on the face of it, cannot possibly be correct. I have compared it with other accounts, on which I admit I have not the highest reliance, those detailed in the London Gazette; and I find a considerable difference between the loss of men as stated in the gazette, and that in the paper which now lies on our table. The paper upon the table, by giving a return of the privates only, and by omitting to give any return of the officers, serjeants, drummers, &c. diminishes our loss in appearance at least one tenth. There are also losses mentioned, although perhaps not specified in the gazette, of which no return is to be found in this paper. There is one general item to which I wish to advert; an account of a considerable loss about the 9th of May, and of which no notice whatever is taken in the paper upon the table. I have

heard there was some loss of British at Nieuport: British standards were taken at Valenciennes and Condé; and therefore there must have been a loss of British troops also in that quarter. The loss at Bergem-op-Zoom is not enumerated in this account. I mention these circumstances to shew, that if any gentleman imagine that there was no loss of men during the last campaign, except what appears from the paper on the table, they deceive themselves grossly; and there is but too much reason to suppose, that ministers have concerted among themselves to make the loss of British appear less considerable than it really is. I have seen returns, which I believe to be authentic, which make the number of British in the month of September last 26,000 men. Now, are there any hopes, when that army shall come home (and the sooner it comes home the better,) that the loss out of that number will not be much greater than we have been taught to believe? Are there any hopes that half of that number will return? A list of the wounded, killed and missing will not be sufficient, because undoubtedly in every army there is much mortality not included under what is generally called the loss of men; therefore, instead of calculating the loss from the number of killed, wounded, and missing, we must examine the general state of the army. We must compare its numbers at different periods, and include mortality of every kind. We must not only look to the army in Flanders, but we must look to our army wherever it is stationed, whether in the East or West Indies, or on the continent. We must also attend to the number of recruits that have been enlisted since the commencement of the present war, and, by comparing the number of these and the general state of the army at different times, judge from a view of the whole circumstances what has been the real loss of men. If we follow this method, which I take to be the only just mode of calculation, then I believe we shall find that the loss of men sustained in this war has been such as will make every thinking man, who knows any thing of the state of the population of this country, reflect seriously whether we can afford to substitute new armies for the old.

But we ought to ascertain not only the loss of men in the British army and navy, but also the loss of all troops in British pay. When that article comes to be stated, I believe we shall find the loss to be even greater than that of the British. That loss, it is evident, must likewise be taken into the account. But this is not all. If we consider that this is a war in which we cannot act but through the medium of great continental alliances, it becomes a most material part of the consideration to state also the loss of our allies. Is it

or is it not true, that in the course of the last campaign only, the number of prisoners of war who surrendered to the French republic amounted to more than 60,000 men? If this be true, ought it not to induce a British House of Commons to go into this inquiry before we proceed further in a war which has brought so many calamities upon all who have had any share in carrying it on, and which has occasioned so dreadful an exhaustion of blood and treasure? Ought we not to go into a committee of inquiry, to satisfy ourselves of the real state of our population, and to ascertain whether the country is able to bear such drains of men for the purposes of war? If we go into this inquiry, I will venture to assert, that, during the last campaign only, more than 60,000 men of all descriptions surrendered to the French republic. It is supposed, and I trust it is true, that this country has of late years increased greatly in population. That increase, however, has not been in proportion to its increase of wealth and prosperity. From some documents which were recently laid before the House, we find that the number of houses in Great Britain now paying taxes to government, does not materially differ from the number of houses paying taxes to government in 1777, a period of eighteen years, during which we are supposed to have advanced considerably both in point of wealth and splendour. I know that many persons reject this account, and say it cannot be true, because it is contrary to general observation. Now, with respect to houses paying taxes, it most certainly is correct: and it may be asked, whether the great increase of houses of late is of such as pay taxes, or of cottages of the lower sort which are exempted? I have one more observation to make on this paper. In looking it over, I immediately turned my eye to those places where I conceived the population had most increased. I looked at Middlesex and Lancaster, and I found, according to this paper, that the increase there has been considerable, and likewise in some other places; but that in other counties of Great Britain this increase seems to be balanced by a general decrease; and, therefore, the paper on the table, though not wholly to be relied on, is not wholly to be rejected. The increase in the two counties of Middlesex and Lancaster, which I have just mentioned, confirms the accuracy of the statement. The result, then, seems to be, that the population of Great Britain has not increased in proportion to its apparent wealth and prosperity, and that it cannot afford to repair the loss of blood which it has already suffered by the war.

But it may be said that his majesty has other dominions from which resources of men may be procured. I particularly allude to Ireland, to which, before I sit down, it may be

proper for me to advert. There is no one circumstance in which our sister kingdom, from her happy connexion with this country, is of more importance than in the number of men which she furnishes to the army and navy of Great Britain in time of war; and if, by any strange and crooked policy, that country should be alienated in affection from this, and lose that zeal which has commonly distinguished her in the public cause—I say, if any misguided policy should unfortunately produce such an effect, it is obvious that all the observations I have made on the population of this country, and its inadequacy to support such a ruinous war as that in which we are now engaged, will be strengthened to a degree which those who are not well acquainted with this subject can scarcely conceive.

The next article of resource which I mentioned is that of money. We have in the course of this war funded somewhat above fifty millions, and when we add to that the increase of unfunded debt, we shall find we have already incurred an expence of between sixty and seventy millions, and the permanent taxes which have been imposed in consequence of the present war, cannot at this moment be much less than three millions sterling. Now it is said, that though the permanent taxes of the country have been increased in order to supply the exigences of the state, yet they are not such taxes as will be felt by the people in general. How far some of them have been well selected or not, is a question on which I shall not take up the time of the House to discuss. I shall only observe, that if they are necessary, they must be borne, unless better can be substituted in their place. But to say that the taxes of last year, and particularly those of the present, will not fall, and fall with terrible weight, on the middling ranks of the people, is to speak without any knowledge of the situation of the country. It is true, that it is proper to tax luxuries in preference to the necessaries of life: it is proper to tax heavily the higher orders of society, because they are well able to bear the burden. But it has been falsely supposed, that in proportion as the rich are taxed the poor are relieved. In the present state of this country, those taxes which ministers call taxes on luxuries fall heavy indeed on the most numerous class of society, and consequently must fall with peculiar pressure on the poorest. The idea of imposing taxes which shall fall upon one class only, and shall in no degree be felt by the others, however plausible in theory, is in fact an idle dream. We cannot lay a tax on the poor that will not fall on the rich; and, I am sorry to say, it is not possible to impose a tax on the rich which will not be felt by the poor.

But let us admit for a moment that these three millions are not a burden too heavy for the people to bear — if this war is to go on, let me ask the right honourable gentleman opposite, whether he has considered of the absolute necessity of imposing burdens for the next campaign to as great an amount, and possibly to a much greater than any which this country has yet experienced? For, if the war goes on, our burdens must necessarily increase in proportion to the length of its duration. Let it not be said in answer to this, "Sufficient for the day is the evil thereof." This is not an answer fit for a statesman to make, nor is it the answer which a British House of Commons ought to receive. This House ought to calculate on the continuance of the war, and to consider what are the resources by which it is to be supported. We ought to consider how far the people are able to bear more taxes, and the different branches of our trade and manufactures capable of supporting additional duties, for that more will be necessary in the course of the next year is what no man will dispute. Do not all these circumstances incontestably prove that it is the bounden duty of this House to go into an examination of the present state of the country, and to prove to our constituents and to the people at large, that, as we have not spared their blood and treasure, so we will not spare our own labour or responsibility? It is only by entering into this investigation, and by comparing the object with the means, that we can determine whether we ought to renounce the object, or change the means by which that object is to be obtained; or whether we are to continue the same hopeless object with the same hopeless means; whether with the same administration, with the same advisers, we are to persevere in a system which has hitherto produced nothing but misfortune and misery.

It is said, however, that our resources are supportrd by the trade and manufactures of the kingdom, and that these are in a most flourishing condition. In order to see how far this assertion is well founded, let us a little examine the state of the trade and manufactures of the kingdom; and first of its manufactures. I wish to refer to those counties where the manufactures of Great Britain have been carried to the greatest perfection, and to know of gentlemen who are better acquainted with the state of those counties than I can pretend to be, what effect the present war has had upon them. I wish to know whether the manufactures have not been most materially injured by the war; and whether the circumstance of their appearing to have suffered less last year than in the year preceding, was not owing to our gaining the possession of the French West-India

islands. I wish to know whether this was not one of the fortunate circumstances which had the effect of affording a temporary relief, but to the duration of which we cannot look with any reasonable prospect. On a former day, when the right honourable gentleman opened the ways and means of the year, flourishing accounts were given of the amount of our exports of British manufactures in the years 1792, 1793, and 1794. We were told that the exports in the year 1792, amounted to upwards of eighteen millions sterling; that the exports in the year 1793 were less than those of 1792, by four millions; and that the exports in the year 1794 exceeded those of 1793 by two millions, and consequently were only two millions short of 1792. Now, the loss of the first year of the war being two-ninths of the whole exports of British manufactures, must strike at the very root of our commerce. This is a loss which must impress every man, and must go to affect the very basis of our prosperity. The circumstance of the exports of British manufactures last year being two millions more than they were in 1793, is easily to be accounted for. I appeal to those gentlemen who are best acquainted with the commercial districts of the kingdom, whether it was not in a great measure owing to the sanguine speculations of some merchants in consequence of our lately acquired possessions in the French West-India islands. I would ask those who are acquainted with the county palatine of Lancaster, what has been the diminution of population since the commencement of the present war. I have seen papers myself, the contents of which, if the proposed inquiry is entered upon, I shall state to the House. According to those papers, the diminution of population and of manufactures in Manchester and its neighbourhood was truly alarming. We have no very accurate mode in Great Britain of ascertaining the population of the country. We have no better method, I believe, than by taking the number of marriages and baptisms. I have seen papers with regard to a great number of parishes in the most populous part of Lancashire; and the diminution, taken from a calculation of marriages and baptisms, is in some places one half, in others one third, and in none less than one fourth. In all there is a diminution, and in the largest parish of Manchester, it is estimated at one half; and that to a number so large, as to make the total diminution of the inhabitants amount to about twelve thousand. That this should be the consequence of the war, is exceedingly natural. But I would ask the House whether, when the very existence of the country is at stake, it does not become them to ascertain the truth, which can only be done by an inquiry into the state of our population and of our manufactures, instead of trusting to

the absurd and idle expressions of the inexhaustible resources of the country. The information we might receive from a serious inquiry into the real state of our population, might induce us to change our means, or perhaps to change our object.

Now, Sir, another part of the resources of this country is our trade and commerce, as distinguished from our manufactures. With respect to the trade of this country, when I made a motion last year for an inquiry into the conduct of the Admiralty, after taking considerable pains to state a variety of instances, where, as I conceived, the Admiralty were highly negligent of their duty in not protecting the trade of the country, I received this short answer — "Look to the low rate of insurance." Having found that to be an argument so powerful with the House, I took some pains to inquire into the state of insurance, and will state some circumstances on this subject, which appear to me to afford sufficient ground for going into the proposed inquiry. It may be supposed that the motion respecting the Admiralty might give rise to an opinion among the underwriters, that it would induce ministry to be a little more attentive to the protection of our trade in future, so as to make the risk somewhat less. I am not now deciding whether that be true or false; but it certainly was calculated to keep down the rate of insurance. The fact, however, is, that insurance from that time has been uniformly rising, until it has come to its present most enormous rate, a rate so enormous as the House may perhaps find some difficulty to believe, till the fact shall be ascertained by an inquiry. At present, insurance from this country to Jamaica, and to the other parts of the West Indies, with all the alliances we possess, is as high as it was in the late American war, when this country had to contend with France, Spain, Holland, and America. With so many powers in confederacy, and France now our single enemy, insurance to the West Indies is as high as it was at that time when we had so many powers leagued against us, and when the fleets of France and Spain united were confessedly superior in number to the fleets of Great Britain. With regard to the Mediterranean trade, strange to tell! at this period, after all that we have expended on the fleet there, insurance to that quarter is much in the same situation as it was during the last war.

With respect to the trade with Spain and Portugal, the present rate of insurance will appear to be as high as I have now stated it. With respect to the state of our trade with Spain, I understand that it is totally stopped with some of the ports of that country, on the ground that insurance is so high that the trade cannot be carried on. The insurance

from Great Britain to Bilboa, or to Barcelona, is from twenty-five to thirty guineas per cent., and to add to this, the merchants are not only obliged to insure the cargo, but also the premium on it, otherwise they would only receive 70l. in the hundred: admitting the premium to be from twenty-five to thirty guineas, the real rate of insurance must then be from thirty-six to thirty-seven per cent. Now, whether it is possible that the trade of this or of any other country can support such a rate of insurance, it is for those who are better acquainted with this subject than I am, to explain. I believe no trade whatever can go on with this rate of insurance, and therefore another mode has, I understand, been adopted: that a great part of our manufactures have been sent to Hamburgh, and from thence have been conveyed in neutral vessels to Spain and Portugal. The same fatality that has accompanied every part of the war has been felt here; the price of insurance between this country and Hamburgh, which was formerly only one or one and a half, has now increased to ten per cent. When this subject was last before the House, facts were adduced to shew that insurance was not only very low, but extremely advantageous to the underwriters. But is not the fact now directly the reverse? Has not the credit of the underwriters been greatly diminished in consequence of the losses they have lately sustained? Although individual underwriters may be found, who will underwrite policies at seven per cent., merchants prefer paying companies ten per cent. on account of their superior security. So low is the credit of the underwriters! This clearly shews that, high as the premium is, it has not been high enough to insure the underwriters. I mention these facts, with respect to insurance, because without them my argument would have been incomplete. I have not stated the present rate of insurance, with any view to shew how ill our naval force has been employed for the protection of our trade; but I have stated it merely to prove that, from the high price of insurance, there is every reason to believe that trade and commerce, the great basis on which our revenue stands, are affected in a considerable degree, and therefore, that it is of the utmost importance to consider the real state in which at present we stand.

I now come, Sir, to the next point to which I alluded.—I mean our connection with other nations. It is hardly credible that a British House of Commons should so far forget their duty, as to vote away sums never before heard of; and persist in the prosecution of a war, without even knowing whether we have allies, or if we have any, who they are; what are their situation and circumstances; and what their abilities and inclinations. It is material for this House to

know who the allies of this country are. I have frequently asked the right honourable the chancellor of the exchequer questions with respect to the emperor and the King of Sardinia, but I have never received any satisfactory answer. Is the King of Prussia an ally of this country, at this moment, or is he not? Am I to take it for granted, without giving myself the trouble to inquire, whether so material a personage is or is not our ally? I know he was our ally by treaty in 1788; I know he was our ally by convention in 1793; and farther, that he was our ally by subsidy in 1794: but I ask, whether he is our ally at the present moment? Did the King of Prussia fulfil the treaty for which the subsidy was granted? If he did, why was it discontinued? If he did not, ought not this House to be apprised of his breach of faith? Ought not this House to be informed of the moment in which he ceased to be our ally? It is indispensably necessary, for the honour of this country, that this House should have a perfect knowledge of the whole of this business; for without that knowledge we cannot pass a judgment on the conduct of the King of Prussia. If, when we go into this inquiry, we find that he has kept his engagements with this country, we shall be enabled to do justice to that much injured monarch. But if, as I suspect, he has not, is it not fit that this House should call to account the king's ministers for having squandered away such immense sums of the public money? An inquiry, in every point of view, will be productive of advantage; for, by going into a committee, we shall be enabled to see distinctly whether the King of Prussia has fulfilled his treaties; and if he has, I am sure this House will be disposed to do ample justice to so good a prince. But if the contrary shall turn out to be the case, if it shall appear that he has notoriously failed in the performance of his engagements—is it not material that this House should declare its indignation at such a conduct, and shew, that they will not tamely suffer themselves to be so duped by any prince in future? If the King of Prussia is no longer an ally of ours, what becomes of his other treaties? Let me remind the House, that the King of Prussia was to send into the field 62,000 men, but that we were only to pay for 30,000. In consequence of the treaty of 1788, he was to furnish us with 32,000 men, without any additional subsidy; what, then, has become of that treaty? We readily gave a subsidy to the King of Prussia to furnish us with 30,000 men. He was bound by a former treaty to furnish us with 32,000 men for nothing; but it now turns out that we have not only lost the 30,000 men we subsidised, but also the 32,000 we were to have for nothing in virtue of his previous engagements. Now I ask, is such conduct to be borne? and are we to be

told of the advantages to be derived from alliances with regular governments, and of the dependence to be placed on the regular government of Prussia? France is not a regular government, and we have heard much of the danger of treating in any shape with her: but Prussia, we were told, we may rely on; and the result has been, that instead of having what we stipulated and paid for in the last instance, we lose what we were entitled to by previous agreement. And, notwithstanding this flagrant conduct of the King of Prussia, a British House of Commons consents to squander away the wealth of the country, to lose the whole army supposed to be purchased by it, merely because the minister chuses to say he is not informed of the particulars of the breach of that treaty! The question now is, whether this matter is to be inquired into or not? The minister adds, that even admitting that the King of Prussia has not sent into the field the armies he undertook to send, it is not thence, in fairness of reasoning, to be inferred, that our other allies will not be faithful to their engagements. I have heard it asserted in this House, that the King of Prussia continued to execute a part of his stipulation for a considerable time, and that the payment, on our part, was discontinued when he failed in the performance of his engagement. It was asserted by an honourable baronet, that the part he acted was more beneficial to the common cause than if he had strictly and literally conformed to the terms of the treaty. Let this curious assertion be inquired into and ascertained. If it shall be proved, let the House do their duty, and render justice to that ill-treated monarch; let them declare that ministers have acted towards him with treachery and injustice; or if not, let them do justice to ministers, and declare that their conduct has been wise and upright.

But, Sir, I have at this moment no certain means of information as to what we have to look for from the prosecution of the war. I have read in some of the newspapers that the King of Prussia is sending a large army to the Rhine, and in others, that he considers the Rhine as a proper boundary for France; it is said by some that he is marching towards Westphalia against the French, and by others, that he is marching against the allies. Now, we ought to know precisely the truth. I wish to ascertain what probability there is that he will be our ally, that he will be our enemy, or that he will remain in a state of neutrality? What demands have been made from this country with a view to an explanation, and in what manner he has treated the applications of the British ministry for that purpose? I want to know what communications have passed, and what remonstrances have been made; for remonstrances must have been made, or ministers must have

grossly neglected their duty. The treaty of 1788 was a defensive treaty. France declared war against us; and therefore, say the gentlemen on the other side of the House, we were forced into the war by their aggression. I confess I shall doubt their sincerity, unless they have called upon the King of Prussia to perform his treaty. Although his majesty's ministers might say to the King of Prussia, "We have been attacked by France, and therefore call upon you to assist us, agreeably to your treaty," that monarch might have replied, "No; I know better, though you have procured a confiding parliament to say so; you were the aggressors, and therefore I am not bound in consequence of my treaty, which was only defensive, to furnish you with 30,000 men." I ask the House, whether they can so far betray their constituents, as to go on without inquiring what the conduct of the King of Prussia has been towards this country, and what our conduct has been towards him.

There is another answer which may possibly be made by the King of Prussia, in vindication of his conduct, and which would explain the assertion of the honourable baronet. He may say, "The object of this war was not the saving or gaining of this or that particular province, the capture of a town, or the recovery of a fortress. The object of it was the suppression of those jacobin principles that were subversive of all regular governments." He may say, (as has been stated by an honourable baronet,) "I have done better for you than you have done for yourselves. It was essential to crush jacobin principles in Poland. You fought for morality, religion, and social order. I fought to suppress those anarchical principles which went to the destruction of all regular governments. Who was of the greatest service to the common cause—he that took a town, a city, a fortress, or an island, or he that prevented jacobin principles from taking root in Poland, and dashed the cup of rising freedom from the lips of that abominable people?" The destruction of even one man —the destruction of Kosciuscko—who by his character gave credit to the cause of liberty, and by the ardour of his zeal animated the sacred flame in every congenial bosom throughout Europe—what signified the recovery of Flanders, or the preservation of Holland, to the capture of Kosciuscko? The destruction of this man, and with him of the seeds of growing liberty, tended more to the success of the real cause of the confederacy, than any co-operation with their troops which might have been the means of saving Holland or of recovering Brabant. If so, the country should know, through the medium of this House, that his majesty's ministers have advanced twelve hundred thousand pounds to the King of

Prussia, to enable him to subdue Poland; for without our assistance, he could not have effected what he has done in that country; and if he had not been employed in that quarter, he would have done as much for the common cause against France as he has done—which is just nothing. Does it not become us to inquire into this business, in order that we may drive disgrace from ourselves to those on whom it ought to attach?

The King of Prussia, I suppose, is no longer to be considered as our ally; but if he is, let us look to his ability, and consider how far he is to be depended upon. From an authentic paper, I find him stating to the diet of the empire his situation; in which he declares it is utterly impossible for him to continue the war. He announced, about twelve months ago, that he had actually begun to withdraw his troops from the Rhine homewards on the ground of his incapacity, in a pecuniary point of view, to support such large armies; and he continued to withdraw his troops until he received assistance from us. It is therefore clear, that, without additional pecuniary aid from this country, whether willing or unwilling, he is totally incapable of prosecuting the war; and therefore, if we are to look upon him as an ally, he must be subsidized or hired; nay, possibly, we may be obliged to purchase his neutrality—and even in that case, I know not but he may make us pay for every one of his troops. Considering, therefore, the King of Prussia as much more likely to assist the French than to co-operate with us, we must regard him as a person gone off from the alliance.

I now come to our great friend, the emperor. I am told that it is most unjust, indeed, to reason from Prussia to Austria, or from Leopold to Francis; that the present emperor is a personage of unsullied integrity; that we are not to judge of him from the character of some of his predecessors; and that we are to consider the court of Vienna as completely unblemished in point of honour. We find that the emperor has made declarations nearly to the same effect as those of Prussia. In the declarations published by the Prince of Cobourg, he says to the people of Germany, "You must take your plate from your table—you must take your plate from your altars—you must collect all your valuables, whether profane or sacred—you must put all the property you possess in a state of requisition; for without such extraordinary exertions, the emperor cannot carry on the war." But, it may be said, we will enable him to come forward with a large force, by granting, in aid of his resources, a loan of four or six millions. Now if the emperor, either from inclination or inability, should fail in his engagements, and should, contrary to his character for

good faith, neglect to perform his treaty, we have not even that miserable tie on him which we had on the King of Prussia. When the emperor ceases to perform his treaty, we cannot stop our payments, because the emperor says, "Give me it all at once." Our money, therefore, is absolutely necessary to enable him to stir in the first instance; and if, either from want of ability or any other circumstance, he should fail to perform his treaty, it is obvious that the money we advance him must be irrecoverably lost. And farther, if so large a sum is necessary to enable his Imperial majesty to act in the present campaign, will not an equal or a larger sum be wanted for the next campaign, if the war should continue? And therefore gentlemen must clearly see, that the whole of the burden of the war will fall on this devoted country. When Great Britain entered upon this war, she was promised the assistance of all Europe; and in less than twenty-four months, the whole burden of the war has devolved upon Great Britain!

But it is said, we have other allies. We have allies in Italy and Spain. But alas! although we pay great subsidies to the Italian princes, we have scarcely heard of a movement in that quarter. Indeed, to consult the London Gazette for 1794, we might suppose Spain and Italy to be neutral powers, as no notice is taken of their military operations during that period. With respect to the King of Sardinia, our first ally in Italy, whatever gentleman may have thought at different periods of this war, it is possible, if he had enjoyed a real and *bonâ fide* neutrality, it would have been much more beneficial to this country than any diversion which he has been able to make. With regard to the diversions attempted in the south of France, what advantage the cause of the allies has reaped there from diversions I am at a loss to discover, and I believe this House has yet to learn.

But we have another ally, the King of Spain. Now, what is the real state of Spain? It is of importance that we should turn our view to the present situation of that country. A great part of its north-eastern provinces has already been conquered by France: Bilboa and Barcelona are in a considerable degree of danger. Are we to look, then, to the Spanish monarchy as being possessed of force sufficient to act against France with effect? Or is it not that part of the alliance which is the most weak, and on which it is probable the French will soon make an impression, that will decide the fate of the war in that kingdom? I was told there was such a store of vigour in that country, that the people would rise in a mass against France. But when that came to the trial, there was nothing which apparently so much contributed to the failure, as the individual treachery of the officers of the King of Spain; in no quarter

was there so much cause for jealousy, or of a want of disposition to resist the French. It may be asked, Was Figueres taken by the French, or did it not surrender? It is extremely probable that French intrigue upon this occasion operated more than French force. It was also imagined, that the bigoted attachment of the Spaniards to the Roman catholic religion would inspire them with vigour against the French, who are supposed to have trampled upon all religion. But was this the case? We know the reverse to be the fact.

But what is the state of Spain in other respects? Of all parts of Spain, there is none in which there is so much vigour as in Catalonia; into the heart of which the French have penetrated. What was the history of that people? When the French by their arms had made a considerable advance into this province, the people of Barcelona determined to resist their progress, and to undertake their own defence. Accordingly, they sent a deputation to that effect to Madrid, stating that they wished to undertake the defence of the country, and that they would defend it to the last drop of their blood, provided no Spanish troops were sent to their assistance, except some particular regiments, which they specified, and provided an assembly of the state was called. This deputation received no answer; or rather, they received a direct refusal; and the French found but too easy a conquest in that province. I mention this to shew, that Spain is not a country to be depended upon, and that she is one of the weakest of our allies. The King of Sardinia and the King of Spain were to have made different diversions in aid of the confederacy. The King of Sardinia undertook to make a diversion in Dauphiny, and at this moment the French are masters of Nice and Savoy. Spain engaged to make a diversion in Rousillon, and the French are now in possession of Navarre, Biscay, and Catalonia. All these allies, therefore, upon whose exertions so much dependance was placed by the ministers of this country, are now so many dead weights upon our treasury.

Are the Spaniards in a much better situation in regard to their finances? It is true they have not yet called upon this country for a subsidy; but they must either soon make that application, or, what will be much more beneficial for themselves, make a separate peace with France. They have had recourse to measures of finance of a very extraordinary nature. I shall name one of them. Gentlemen will recollect that an honourable friend of mine, not long ago, made a motion in this House for laying a moderate tax on all offices and employments under government during the war. The House will recollect with what ridicule that motion was received. It was considered as a paltry resource, to which no

nation, that was not utterly exhausted in its finances, ought to resort. But what has the King of Spain done? The Spanish court has laid a duty of four per cent. upon every person enjoying any office in Spain above one hundred and fifty pounds per annum, and a tax of twenty-five per cent. upon the salaries of all the councillors of state, for the support of the present war. I am not commending this expedient. I am only stating it, to shew what the situation of Spain is with respect to her finances; and how little the allies can rely on that country for support in the prosecution of the war.

Such, Sir, is the real situation of our allies, according to the best information I have been able to procure. And is not this an additional argument for going into an inquiry into the state of the nation, in order to ascertain distinctly the precise dependance we ought to have on the exertions of our allies? I shall next proceed to the consideration of our own conduct, and to examine what strength we have derived from the estimation which rectitude and dignity, moderation and justice have procured us in the eyes of Europe. I am one of those who firmly believe, that the greatest resource a nation can possess, the surest source of power, is a strict attention to the principles of justice. I firmly believe that the common proverb, of honesty being the best policy, is as applicable to nations as to individuals; that this, which the conviction of mankind has made an axiom, is universally true; and that cases which may sometimes be supposed exceptions, arise from our taking narrow views of the subject, and being unable at once to comprehend the whole. If, therefore, we have been deficient in justice towards other states, we have been deficient in wisdom, and have enfeebled our arm in our efforts against the enemy. Justice is fairly to be ranked among the number of our resources; and it is the duty of the House to inquire whether or not our conduct, since the commencement of the war, has been such as to entitle us to the good opinion of the wise and observing part of mankind. I am not now going to discuss the justice of entering into the war; but I wish to call the attention of the House to the conduct of the king's ministers in prosecuting it. For whatever may have been the motives which induced ministers to enter upon it, the means they have employed in carrying it on are fit subjects for examination in this House. When we entered upon this war, we were sanguine enough to suppose that all the civilized part of the world would see it with the same eyes as we did. When I represented in this House, that the plan of starving France adopted by ministers was absurd and impracticable, for that France would receive supplies from neutral nations; when I stated the means by which neutral nations might supply

France, I was answered, that in this war the neutral nations would be very few, if any. But what is the case at the end of two years? That neutral nations are many and increasing; and that the great neutral nation, America, has continued neutral from the beginning. It is of infinite importance to a nation that respects its honour—that even respects its interest, which is inseparable from its honour—to gain the good opinion of surrounding nations for justice, magnanimity, and moderation. Has Great Britain done this, or the reverse? What has been your conduct to Sweden, to Denmark, to Genoa, to Tuscany, to Switzerland—to America while you durst? I do not speak of any particular minister at foreign courts: for many of those ministers I feel great respect, and with some of them I am connected by friendship. I am ready to admit that, if they acted contrary to their instructions, ministers at home are not responsible for their conduct; but I am persuaded that they did act according to their instructions; for, if they did not, ministers here were bound to recal them, and disavow what they had done.

With respect to America I shall say nothing at present, except that, after giving orders for taking her ships, we recalled those orders, and have since entered into a treaty by which we agree, properly I believe, justly, and if justly, wisely, to pay for the rashness and folly of issuing them. Next, with regard to Denmark and Sweden, which were in this case so intimately connected in point of interest, that whatever was addressed to the one might be considered in fact, although not in form, as addressed to the other. To the court of Copenhagen we presented memorial after memorial, couched in the most peevish and offensive terms of remonstrance, on the neutrality of his Danish majesty. These memorials were answered by the minister, M. Bernstoff, with such temper, firmness, and diplomatic knowledge, as obliged us at length to desist, and raised his character higher than that of any Danish minister ever was before. We engaged in a diplomatic contest upon the subject of neutrality, in which we shewed our complete ignorance of the rights of neutral nations, and were foiled accordingly.

What has been our conduct towards the Grand Duke of Tuscany, a prince who, although belonging to one of the most illustrious families of Europe, is known not to be possessed of any great military power? Lord Hervey goes to the Grand Duke of Tuscany—not to the emperor, the King of Prussia, or any potent monarch—and says to him, "Can you pretend to maintain neutrality with such a government as that of France?"—calling the French government all the hard names which "regular governments" think themselves authorised to

bestow upon it; and not recollecting that one of the heaviest accusations against the French was their having presumed to intermeddle in the internal politics of other nations—"Can you basely refuse joining the league against the murderers of your aunt, the declared enemies of your whole family, and the avowed subverters of all established government, order, and religion? I know to what cause your hesitation is owing. It is because you give credit to bad ministers; it is because you lend too favourable an ear to the advice of your minister Manfredini, a man who has gained a pernicious ascendancy over your mind, but who ought no longer to have any share in your councils." Lord Hervey, after thus telling an independent prince that he was not to listen to the advice of his own ministers, might with equal propriety have gone on to tell him that he ought to be guided solely by the counsels of the right honourable gentleman over against me. "Your ministers," he might have said, "are ignorant and incapable; the British ministers are wise and able. Observe into what a situation they have brought their own country, and you cannot doubt with what wisdom and vigour they will consult for yours." This language of Lord Hervey has never been disavowed by ministers. It has even been imitated by his successor, and therefore I must consider it as having been the language of his instructions. And thus by menace and insult was the Grand Duke of Tuscany compelled to renounce his system of neutrality, contrary to his own inclination, to the advice of his ministers, and the interests of his people. Such was the conduct of ministers when we were powerful in the Mediterranean. Lord Hervey was at length recalled, and another gentleman whom I personally respect was appointed in his stead, and instructed to follow the same course. At last, after we lose our power in the Mediterranean—when events turn out against us—we submit, not only to the neutrality of the Duke of Tuscany, but to his concluding a treaty of peace and amity with the French republic!

In Switzerland, Lord Robert Fitzgerald, for whose character I have too high a respect to suppose that he would exceed the letter of his instructions, in the name of the King of Great Britain, tells the independent Swiss cantons, in the language of insult and injustice, "That he will not decide, whether justice and their true interest permit them to remain neutral, against those who would again reduce them to barbarism, in a war of almost all the powers of Europe, in a war where not only the existence of every established government, but even that of all kind of property is at stake. He will only observe, that neutrality itself will not authorise any correspondence, directly or indirectly, with the factious or their

agents." He tells them, in effect, that although they may call themselves neutral, they are not to allow their subjects to reap the benefits of that neutrality by intercourse with France. Who made you the arbiters how far intercourse ought to be allowed by independent states between their respective subjects? Where did you get the right? Or, if you have the right, where is your power to enforce it? The Swiss cantons return a civil and dignified answer, "That a rigid and exact neutrality was the invariable maxim of their ancestors; and having received it as a sacred inheritance, they conceive it their duty to abide by it. That they trust his Britannic majesty, following the example of his illustrious ancestors, will respect the independence of the Helvetic confederacy." In the mean time, they carry on their intercourse with France in as high a degree as it is their interest to do, regardless of our menaces; and we have now the mortification to feel, that the coarseness of our insult was equalled only by its impotence. We have nothing to boast of, but the rashness of our design, and the meanness of the attempt to carry it into execution.

What has been our conduct towards Genoa? Ministers hold the same language towards that state, and tell them, "If you continue in your neutrality, it must be offensive to the combined powers, and may give occasion to revive claims which must lead to disagreeable consequences:"—a meaner threat never was employed. Who are the parties in this mighty contest? Great Britain, taking upon herself to dictate for all the combined powers, and the republic of Genoa—this country not only admonishes the republic of Genoa against observing a neutrality, but threatens her with war if she does. Look at this, and see a picture of insolence, injustice, and meanness, exceeded only by the feebleness of the attempt to follow it up! The fortune of war being against us, even the little republic of Genoa is stout; and after blockading her port, we are content to withdraw our ships, and forced to submit to her neutrality with an ungracious apology for the injustice we have done. By such conduct we have impaired the character of the nation for justice and magnanimity, and given to Great Britain a character of meanness and insolence which was never before imputed to her, a character which has destroyed more countries than the loss of armies. To put this in a stronger point of view, let us contrast it with our conduct to America. Did we tell America that all intercourse with France was disgraceful, until France should restore her king? No! It is only to the weak and defenceless that we talk big; to the great and powerful we apologize, and agree to pay for all the injustice we have done them. If any

one principle in the law of nations be clearer and more generally acknowledged than another, it is that of a right in every nation, which no treaty obliges to the contrary, to preserve a complete neutrality. Let gentlemen consider the sacredness of this right, and the miserable condition of every weak country, if whenever great powers go to war, for what they may call the cause of justice, order, religion and regular government, but what others may think views of ambition and aggrandizement, every weak prince, every petty republic, were to be compelled to take a part in the contest. If such were to be the condition of society; if men were not allowed to enjoy that neutrality which their independence entitles them to, they would begin to doubt the benefits of society, and listen to the paradoxes of those who maintain that all established rules and principles are the bane of society.

If the House shall agree to go into the committee, it is my intention to move for the correspondence between his majesty's ministers and their agents at foreign courts; not for the purpose of punishment, but to vindicate their and the national honour. If it should turn out, as I believe it will, that our ambassadors have acted consistently with the letter and spirit of their instructions; that they have only used the words and sentiments of the cabinet of Great Britain; then it will become this House to shew that ministers are not the nation, and that whatever may be their principles, the principles of the nation are justice and magnanimity. It will then become us to shew to all Europe, that we would rather hold high language to the strong and powerful than to the weak and defenceless; that instead of insulting and injuring the weaker states of Europe, our inclination is to protect them against the greatest and most powerful.

I shall now, Sir, without considering whether this war was justly or unjustly undertaken, proceed to examine with what wisdom and upon what principles it has been conducted. I shall pass by all the considerations that ought to have preceded our determination to go to war, great and important as in my mind they were, and suppose war actually resolved upon. When we had come to this resolution, was it not, I ask, of the utmost consequence to our success, that the object of it should be clear? No two things can be more distinct from each other, than fighting for a country and fighting against it. If ministers had acted up to the character of statesman, they would have taken one or other side of the alternative with all its advantages and disadvantages. They would have said, "We are going to war with France, not on account of her form of government; we care not what form of government is established in France. It is of no

consequence to us whether that country be governed by a monarch, a convention, or a jacobin club:—this is no cause of war. But we go to war against France to protect our allies the Dutch, and to avenge the insults she has offered to the British nation:" or they might have taken a different course, and have adopted the idea of a right honourable gentleman, not now a member of this House, (Mr. Burke,) of whose great genius and distinguished character, although I have lately had the misfortune to differ from him in opinion, I shall never speak but in terms of the highest respect and admiration. They might have taken the course pointed out by that right honourable gentleman, who, by rather an odd figure, said, "We are not fighting for the Scheldt; we are fighting for the destruction of the greatest evil that ever threatened the civilized world, the French revolution; we are fighting for the restoration of monarchy in France; we are fighting for the re-establishment of regular government; to restore the emigrants to their property: we are fighting for the French nation against the French convention: we are fighting for our constitution, our monarchy, our laws, our religion, our property; for unless monarchy be restored in France, monarchy will not be safe in other parts of the world, his majesty will not be safe upon his throne; unless their property be restored to the emigrants, the property of every man in this country is insecure." When his majesty's ministers determined on the prosecution of this war, they should have made choice of one or other of this alternative, each of which would have had its inconvenience. If they had chosen the former, and said, "In going to war with France, we wish to have nothing to do with the nature of her government—we are totally indifferent about her internal situation, and only fight to compel her to make atonement for insults offered to us:"—it would have been attended with this inconvenience; we should have had no pretence for expecting the assistance of any French emigrants, or of insurgents in any part of France, except in as far as by resisting the convention, and endeavouring to promote their own views, they might, without intending it, facilitate the accomplishment of yours. We should have had no claim upon the inhabitants of La Vendée, Britany, Lyons, Marseilles, or any other place where hatred of the convention provoked insurrection; because neither with them nor with the French emigrants should we have had common cause. We should have had no right to look for the co-operation of those powers, whose object was the restoration of Louis XVII. to the throne of his ancestors. But, on the other hand, we should have had, what, in my opinion, would have fully compensated all these disadvantages: we

should have quarrelled with France on equal terms, and fought with her upon known principles. France could not then have made the efforts she has made. If we had set out with declaring that we wished to have no concern with her internal affairs, I ask, would it have been possible for France, in consequence of enthusiasm or terror, or of both combined, to have raised and supported those immense armies, whose exertions have astonished Europe? Would terror have compelled such exertions and such sacrifices, when the people of France knew that they were only fighting for the Scheldt, or for a fortress ,on their frontier, or an island in the West Indies? Is it probable, if such had been the object of the war, that we should have had raised up against us what has been emphatically called, and emphatically felt, an armed nation? Would the convention have been able to persuade them that they were fighting for their liberties, their lives, and for every thing that is dear to the heart of man; that they had no choice but victory or death, if they had been clearly and distinctly told by us, that the whole contest was about the navigation of the Scheldt, and the security of Holland? But when the whole people of France, in consequence of the declarations of Great Britain, were convinced that their very existence as an independent nation was attacked, then they began to rouse themselves; then they began to unite in defence of what they conceived to be their just rights and liberties; and under the influence of this conviction it was that those effects were produced which have astonished the world, and are unparalleled in the history of nations. If, on the other hand, the aid of the French emigrants and insurgents in France had been thought an advantage superior to all this, we should have taken the other part of the alternative, and said, "Our object in going to war is to establish a regular form of government in France." The inconvenience here would have been, that from the very moment of making this declaration, we should have had united against us every republican in France, in that vigorous way in which we now see them united. We should have persuaded them, as we have done, that they had no other chance for liberty, than by uniting as an armed nation, with activity and vigour. If we had said at the outset, "We wish *not* to dismember France; we wish not to partition her territory; we wish not to weaken or diminish her power, or to aggrandize Great Britain at her expence; our sole object is, to restore to her the blessings of a regular government, and to good citizens the enjoyment of their rights and property"—in that case, we should have had this advantage—every emigrant from France in every part of the world would have felt in common with the British

cause. Every French loyalist would have gone hand and heart with the British nation; even such republicans as disliked the system of terror more than they disliked monarchy, would have exerted themselves in our favour. We should then have had a fair opportunity of trying, what were the sentiments of the people of France with respect to the Revolution, and whether a majority of the nation wished for a monarchy or a republic? We should have reared a standard to which Frenchmen who loved their country might have repaired. Now, by indulging the childish hope of grasping the advantages of each side of the alternative, we have gained neither. How could it be otherwise? When we took Valenciennes, instead of taking it for Louis XVII. we took possession of it in the name of the Emperor Francis. When Condé surrendered, we did the same thing. When Mentz surrendered, the garrison was dismissed to be employed against the royalists of La Vendée. Was it possible for any man to be so ignorant, as to doubt what our intentions were? How, then, was it possible for us to suppose that our conduct would produce on the inhabitants of France an effect different from what it has done? Wen Sir Charles Grey and Sir John Jervis took Martinique, Guadaloupe, and the rest of the French West India islands, did they take possession of them for Louis XVII.? No! but for the King of Great Britain, not to be restored to France when monarchy and regular government should be restored, but to be retained as conquests, if the chance of war should leave them in our hands.

While such was our conduct in all parts of the world, could it be hoped that any French emigrant, whose situation was not desperate indeed, would join us; or that all who were lovers of their country more than lovers of royalty, would not be our enemies? To attend to justice is, in all cases, peculiarly important; and the love of country is a motive so powerful, as to be often used as a pretext, even by those who do not feel it. The royalists of La Vendée, of Britany, and other places, took the field and held out long and bravely; but what could they say to the people of France — what could they put in their manifestoes, of equal weight with the addresses from the convention? They might say, "If we conquer, the French monarchy will be restored; but it will be restored with the territory of France curtailed and diminished, one third of it, perhaps, divided among rival powers." The convention could say, "If we conquer, France will remain entire, a great and independent nation, triumphant over all the powers who have confederated against her liberties." With such discouragements on the one hand, and such flat-

tering prospects on the other, was it to be expected that any considerable number of Frenchmen would connect their own cause with that of the allies? We have so shuffled and trimmed in our professions, and been guilty of such duplicity, that no description of Frenchmen will flock to our standard.

It was a fatal error that we did not, in the commencement of the war, state clearly how far we meant to enter into the cause of the French emigrants; and how far to connect ourselves with powers who, from their previous conduct, might well be suspected of other views than that of restoring monarchy in France. It will be said, that we could not be certain in the first instance how far it might be proper to interfere in the internal affairs of France; that we must watch events, and act accordingly. By this want of clearness with respect to our ultimate intentions, we have lost more than any contingency could ever promise. All obscurity ought to have been removed, and we ought to have distinctly adopted one or other side of the alternative. Every place was not taken for the allies. It was understood by those who surrendered Toulon to Lord Hood, that he accepted it on this condition — that he was to adhere to the constitution of 1789. Whether ministers intended to observe that condition I know not; but in their subsequent publications they gave reason to hope that they did. In their declarations they offered peace and protection to all well-disposed Frenchmen, who should join in restoring monarchy, without specifying what kind of monarchy? Have they fulfilled that promise? What kind of protection have they afforded to those who endeavoured to restore monarchy? Have not the royalists, for want of assistance or encouragement, been obliged, however reluctantly, to submit to the laws of the republic? If the allies had been fighting either for France, or against France, what should have been their conduct towards La Fayette and Doumourier? The seizure of La Fayette, by the Austrians, was contrary to the law of nations; and their treatment of him must condemn their name to eternal infamy. They found him and the companions of his misfortune, not at the head of an army, nor in arms, and took them against all the laws of nations and of war — not to be treated as prisoners of war, but as prisoners to be consigned to a dungeon. If the allies were fighting against France, surely they ought not to have treated as criminals generals coming over to them from the enemy. Dumourier came over when he thought he had great power with his army. That power turned out to be much less than he had imagined; but it was impossible that a man who had served his country with so much reputation, with so much ability and success, should not have had a considerable party in it. How was he

treated? When they found that he could not bring along with him so great a portion of his army as they expected, after having extolled his virtue, at the moment when he had rendered his virtue at least doubtful, they drove him from them a wandering fugitive, as if they had passed a decree expressly forbidding any French general to abandon the standard of the republic in future. By acting in this manner, as is well expressed in a French pamphlet I have recently read, "we are more unaccountable in our political conduct than any of the most bigoted religious sects, for we even exclude converts;" which I believe was never done by any sectarists. Our conduct, therefore, in this respect, is perfectly new; for after Dumourier becomes a convert to, and espouses the cause of the allies, they refuse to receive him. But if we and our allies were fighting for France against the convention, we ought to have praised this general as a convert, we ought to have received him with cordiality, and held him up as an example for the conversion of others. If we were fighting against France, we should have considered all Frenchmen as enemies, in the common acceptation of the term, and not by denouncing vengeance for crimes committed in France, as was done by Lord Auckland, in a paper published at the Hague, have given ground for that enthusiasm of resistance, which inflames the minds of men who conceive their lives to be attacked — an enthusiasm which has united for common defence those who, in every moment of respite, were tearing one another to pieces, and sending their opponents to the scaffold, whenever they could supplant them in power. If the allies were fighting for France, the restoration of monarchy and regular government, I mean not to say that they should have granted impunity to those who were more immediately the cause of the murder of the king; but they ought not to have begun with thundering forth a manifesto, threatening Paris with military execution, and even total destruction; denouncing vengeance which necessarily alarmed all men, as no man was named; a manifesto which we cannot even now endure to read, but by contrasting the pride and cruelty of the menace with the impotence of the attempt to put it in execution. If we were fighting for France, we ought to have assured the people of France that we had no views of aggrandisement, much less of dismembering the kingdom, or taking vengeance of the inhabitants. We ought to have convinced them that we entered France, not to conquer, but to restore; and the very first step should have been to publish a general amnesty, with some exceptions. A whole nation may be misled, but cannot be all guilty. As has been said by the great man already mentioned, "I know not how to draw an indictment against a whole nation." Some excep-

tions to the general amnesty might have been necessary; but these should have been mentioned by name, that others might have had nothing to fear. By this mode of proceeding, many persons deserving of punishment might have escaped; but this would not have been so bad as terrifying all the people of France by indiscriminate threats. This I conceive to be a fundamental error. I would therefore have the House go into an inquiry, that we may declare this error to be fundamental, if so it shall appear to be; that we may take some intelligible ground for our future conduct; define clearly and distinctly the object of the war, and put the remaining quarrel with France upon such a footing, as to shew whether we are really fighting for France as a nation, or against her. Is there a man who believes that, to define our object, and to demand it of the French government, even at the price of recognizing that government, (as far as to negociate is a recognition,) would render it more difficult to be obtained by force of arms, if the French should refuse to grant it? Does the right honourable gentleman himself believe that, if the convention were to refuse reasonable terms of peace, they would be able to call forth such extraordinary exertions on the part of the people for continuing the war, as the general persuasion of the people that they have no alternative but conquest or subjugation has hitherto enabled them to call forth?

Having mentioned these great and fundamental errors, it is hardly necessary to enter into those that are more minute. It is almost sufficient to name them. If we took possession of Toulon, not with a view to conquest, but with the intention of supporting the cause of monarchy in France, it was the most important advantage we could have obtained, and to the preservation and improvement of which all our attention ought to have been directed. Yet we left Toulon with a very small English force, trusting its defence to the aid of allies, who were either unable or unwilling to defend it. This was said to be done for the sake of an expedition against the French West India islands, an expedition of much less importance than the defence of Toulon; and that expedition was again crippled by collecting troops under the Earl of Moira for a descent upon the coast of France—a descent for which an opportunity has never yet been found; and therefore government has never been able in any way to avail itself of the force so collected. In consequence of this, Toulon was lost; and a number of troops were sent to the West Indies, sufficient indeed, through the zeal and ability of the commanders, to take the islands, but not sufficient to keep them. Guadaloupe, we know, is gone; there is little hope of our being now in possession of any part of St. Do-

mingo; and we are far from being without well-grounded apprehensions for the safety of Martinico and the other conquered islands.

With respect to the last campaign, our great and leading error was, confidence in the King of Prussia, in the Belgians, and in the Dutch. We told the people of the Austrian Netherlands that we were fighting for their religion, and the people of the United Provinces, that we were fighting for their liberties; but they did not believe us. We drew the Dutch into a war, which they had no inclination to undertake. So early as the beginning of the year 1793, I stated it as my opinion, that the Dutch would not demand our assistance. I was answered, that they durst not demand it, but that this was no reason for our withholding it, and that, if it was offered, they would not refuse it. I replied, that I believed the case to be exactly the reverse, and that if we offered our assistance, although the Dutch did not desire it, yet they durst not refuse it. I also find, at an early period of the war, the people of Friezeland putting up their prayers to Almighty God, to deliver them from this war, into which they had been plunged by their allies. All that has happened since has confirmed my opinion. While we were fighting in the Austrian Netherlands, the Dutch gave us but feeble and reluctant aid. When we were driven out of the Austrian Netherlands, and the United Provinces were to be defended, the Dutch, instead of rising in a mass to defend them, joined in welcoming the French. We ought to have known beforehand, that the people of the United Provinces wished not to be defended by us, and therefore were not to be confided in as allies. We ought to have adopted one of two courses; we should either have withdrawn our mischievous and oppressive protection, and said to the Dutch, "Defend yourselves;" or we should have taken possession of the country with an army, and defended it like a conquered province.

When I look to the naval part of the campaign, I find, that the captures made by the enemy are greater than they ever were known to be in any former war; but I do not find that our trade has increased in the same proportion. By documents, which I conceive to be tolerably correct, it appears, that in the second year after France joined in the American war, the number of ships captured by France, Spain, and America, was 499. How many of these were taken by Spain, I do not know; but it is probable that nearly one half of them were taken by the Americans. In the second year of this war, when we have France alone to contend with, the number of ships belonging to Great Britain which have

been captured by France amounts to 860. Until I hear this extraordinary difference, under circumstances so much less unfavourable than those of the period to which I have alluded, accounted for, I must conclude that there has been a great defect in the naval administration of this country; either that we have not had a sufficient naval force, or that ministers have not well applied it. His majesty's speech from the throne, in January 1794, laid the ground of most forcible arguments for inquiry. That speech, in recapitulating the advantages obtained by the arms of the allied powers, as the pledge and earnest of still greater advantages, almost expressly assured us of the empire of the sea. Oh, the little foresight of presumptuous man! Oh, the fallacy of human hope! Every pledge of success, every topic of consolation, held out to us in that speech, is now converted into a circumstance of defeat, into an argument for despair! "The United Provinces," we were told, "have been protected from invasion; the Austrian Netherlands have been recovered and maintained, places of considerable importance have been acquired on the frontiers of France; an important and decisive blow has been given to their naval power; at sea our superiority has been undisputed, and our commerce so effectually protected, that the losses sustained have been inconsiderable, in proportion to its extent, and to the captures made on the contracted trade of the enemy." Yet in the course of a year, ushered in with so much promise, our superiority at sea has been disputed; after a second more important and decisive blow given to the enemy's naval power, they have been masters of the sea for two months, and 860 of our ships have been taken! Every hope and expectation held out by that speech is now completely gone. We have lost the fortresses on the French frontier. We have lost the Austrian Netherlands. We have lost Holland; and the trade of England has been greatly injured. It is not the change of one man; it is not the change of the first lord of the admiralty, that will afford satisfaction for the injury sustained by our commerce. I observe likewise, that since the commencement of the war, the re-captures do not bear a greater proportion to the ships taken than they did in the American war, when Great Britain had so many different nations against her. Are these, or are they not, good grounds for inquiry? For what purpose do gentlemen think they were sent to this House? Do they believe they were sent here for the sole purpose of voting taxes, as was too often the case with the parliaments of the ancient kings of this country? Or as a national council to see that the executive government is not only incorrupt, but judicious? It might have been

supposed, that after the memorable first of June, we should be masters of the sea; but we have no reason to boast of the manner in which we have improved that victory. Our fleet came into port in November, and the French fleet put to sea; no doubt because ours was returned. So little foresight or exertion was displayed in preparing our fleet for sea again, that it could not go out till late in January; and thus for two months the French were masters of the sea, and our fleets of merchantmen, and even troops embarked for important foreign services, were blocked up in our ports. I shall, perhaps, be told, that our fleet cannot be always out. I say, that under proper management, a great part of it always might be out. But will any man contend that it might not have been ready in less than two months, during great part of which time it was known that the French fleet was out? There was even a rumour, that after the ships were ready for sea, they were detained for want of biscuit and other provisions, which it became necessary to send by land carriage. How true these reports may be I know not; but they have been generally circulated and believed, which is a sufficient reason why the House should inquire. Every one of the circumstances I have mentioned calls aloud for inquiry, unless the members of this House are prepared to say, that the present situation of the country is so happy and so prosperous, as to be *prima facie* evidence of the diligence and ability of his majesty's ministers; that they have steered us so steadily, and piloted us so wisely, that we ought to repose implicit confidence in them without inquiry. Can ministers themselves state any ground why this House ought to repose in them any confidence whatever, much less such extraordinary confidence as this? Will they say that their administration of the war has been successful, or that the state of the country is prosperous? I am not, I hope, a man to give to success more credit than is due to it. I hope I can reverence unsuccessful wisdom; my own experience has not been such as to lead me to think that success should be considered as the criterion of wisdom. Let the minister say that the hand of God is upon us, when human prudence can avail us nothing; but let him not say that Great Britain is declining in every quarter; that all her exertions and the most lavish profusion of treasure and of blood avail her nothing; and yet deny the propriety of an inquiry by the House of Commons, to discover, if possible, the source of so melancholy a reverse of fortune. In such a case it is the duty of every member of this House, of the friends of ministers themselves, to give up their private confidence, and promote inquiry. Then, if they find that ministers have been

pursuing an impracticable object, or endeavouring to obtain it by inadequate means, they will know how to apply the remedy. If they find that ministers have been conducting the affairs of the state with ability and wisdom, they will be able to say with satisfaction to themselves and their constituents, "We will continue our confidence in these ministers."

Sir, exhausted as I feel myself, and long as I have already trespassed on the patience of the House, I must pass over in silence many points which are nearly connected with the general statement, and which would call powerfully on this House to enter into an enquiry on the state of the nation. But although I conceive I have already stated sufficient grounds for going into such an enquiry on all the questions more immediately connected with the war, there is yet one subject so closely connected with the prosecution of it in one point of view, that before I sit down I must beg leave to make a few observations upon it—I mean the present situation of the sister kingdom. The House will do me the honour to recollect, that, much against the inclination of my most intimate friends, I formerly harassed this House with a variety of questions, which they were unwilling to debate. I persevered obstinately, however, not because I had any satisfaction in doing so, when the House was not disposed to listen to me, but because I thought that at the outset of the war, it was my bounden duty to lay before this House those circumstances which, as appeared to me, ought to have discouraged us from entering upon it. I felt no pleasure in addressing these arguments to unwilling ears, for I am not desirous of imitating the example of Cardanus, an author now but little read, who says, "*Numquam libentius loquor quam cum quod loquor auditoribus displicet.*" I persevered because I thought it my duty to persevere; and, among other things, I stated, as discouragements for going on with the war, that the Austrian Netherlands could not be retained, while the subjects of his imperial majesty were disaffected to his government; that Holland could not be defended while the Dutch did not wish to defend it; and that the King of Prussia had proved by his conduct in the first campaign, that Great Britain and her allies ought not to depend upon him. I was then told that my speech was a libel upon all our actual and all our possible allies. But, Sir, if it was a libel, experience has proved, that it had in it that which has been held the strongest ingredient of libel, truth; and as such, I hope that speech will go down to posterity a convicted libel. I then also touched upon some dangers which I apprehended with respect to Ireland. I was told, "touch not upon Ireland, that is a subject too delicate

for discussion in this House. This House", it was said, "has nothing to do with Ireland, Ireland has a parliament of her own, and will take care of herself." To that I then answered, as I do now; that when a British House of Commons is advising the king upon a matter of so much importance as peace or war, they ought to extend their consideration to all the material parts of the empire; and surely it is unnecessary to state that Ireland is a most important part of his majesty's dominions, as furnishing great resources of men for the army and the navy in time of war. Without the assistance of Ireland, we can never be secure in peace, nor successful in war. The identity of her constitution, and her being under the same executive government, make Ireland a constant object of attention, from which we may derive information with regard to the disposition of the king's ministers, to which we may look for examples to be imitated, or errors to be avoided. I saw formerly certain prejudices in that country which would throw much difficulty in the way of the Roman catholics getting all they asked, and all that justice required they should have, as subjects of the same constitution, viz. equality of rights with every other subject. There had sprung up in that country a strange jargon of what is called a protestant ascendancy, as if such a thing as a religious ascendancy ought to take place in politics. Ministers, some time ago, got over the difficulty in part, and, although not in a way calculated to gain much respect, conciliated the affections of the catholics for the time. This, however, was not the only subject of complaint. There were other abuses in Ireland of which the people bitterly complained; and when the coalition took place in July last, however much I might lament that event, I certainly did think it might produce this good effect, that the corrupt administration of Ireland would be radically reformed, and that possibly as much might be gained to liberty there as seemed to be lost to it here. And this was in fact near being the case, when unhappily things took a different turn.

Without entering into the question, who is to blame? I ask whether Ireland is not at present in a state of irritation? whether she is not in a state of danger? And if she is in such a situation as to give just cause of alarm to every friend of the country, whether this state has not been occasioned solely by his majesty's ministers? Some may say, it is owing to the ministers here; others, to the ministers there; but I defy any man to say, that the present state of that country is not entirely owing to the improper conduct of the king's ministers. No matter whether to the right honourable gentleman, the Duke of Portland, or Earl Fitzwilliam; although I

have no doubt as to which of them it is not owing. Earl Fitzwilliam is sent over as lord-lieutenant to Ireland, justly popular from his personal character, and more so from his connection with a part of the ministry here, supposed to be favourable to the wishes and claims of Ireland. He arrives: he consults with men to whom the people of Ireland have been long accustomed to look up with confidence; — he is adored, — he is idolized to such a degree, that the people of Ireland join with him in the absurd cry of war — nothing but Earl Fitzwilliam's popularity could have induced them to join in that cry — he states from the throne the general wishes of his majesty for carrying on the war; that it is intended to give emancipation to the catholics. [Mr. Pitt intimated across the table that it was not so.] It was so understood, or, if you please, it was so misunderstood in the Irish parliament. They are told that abuses are to be reformed; they see the most respected men in the country daily rising up in the House of Commons to propose the reform of abuses; they see those measures attended with fewer dismissals from office undoubtedly than the people could have wished, but with the dismissal of several persons known to be connected with the old abuses. They consider all this as the omen of approaching liberty; and that the people of Ireland, without distinction, are about to enjoy those rights and privileges which they ought always to have enjoyed. All this passes in the face of the world, without the least opposition on the part of the cabinet of Great Britain. What follows? Great supplies are called for by his majesty; and the Irish, in high expectation of the promised reform of abuses, with a degree of imprudence, not adhering to the sober and cautious principle that reform and supply should go hand in hand, (for it is the character of that nation to be more generous than prudent,) granted the supplies before the promise was fulfilled. Having given all, the cup is dashed from their lips, their eager and excited hopes are blasted, and they are told, "We have got your money; you may now seek for your reform where you can." The ministers here then quarrel with this popular lord-lieutenant, whose personal character did more for the coalition than the characters of all the other ministers united, for it made the administration popular, because, from his accession it was supposed to be pure. They give up, however, this popular friend, rather than Ireland should receive from this country the benefits to which she is in common justice intitled, and in the hopes of which she had voted for the service of his majesty such large and liberal supplies.

Sir, I may be told, that this lord-lieutenant gave hopes and promises which he was not authorised to give. To that I

answer, that from my knowledge of him, I do not believe it. But suppose it were so, what is that to this House? Is it not a matter of total indifference to us where the blame lies? Is not Ireland in danger? No man will deny it; and that is sufficient for my purpose. The blame attaches either on the ministers in Ireland, or on the ministers here; and if this House does not institute an inquiry, and explain clearly and satisfactorily to the public who has been the cause of this alarming danger, we may be responsible for the dismemberment of the British empire. It may be supposed that this is one of those questions on which I have strong personal partialities. I admit it. I believe I shall never be able to divest myself of them; and I am perfectly convinced that Earl Fitzwilliam's conduct in this particular instance has been agreeable to the uniform tenour of his whole life. I firmly believe that he has acted fairly and honourably, and agreeably to what was understood between him and his colleagues in the British cabinet: this conviction is matter of great private satisfaction to me; but it is no reason why the House should not go into the inquiry.

The Roman catholics amount to three-fourths of the population of Ireland. But the catholics are no longer a party. The parties now to be dreaded in Ireland are, on the one hand, a few people holding places of great emolument, and supporting corruption and abuses; and on the other, the Irish nation. The protestants are as much interested in this great business of reform as the catholics. I no longer apprehend any danger to Ireland from disputes between the catholics and the protestants; what I apprehend is, the alienation of the whole Irish people from the English government. Many gentlemen who have not taken pains to examine into the subject, imagine that the government of Ireland, because consisting of King, Lords, and Commons, nearly resembles that of Great Britain. This, however, is by no means the case. I dare say also, that some gentlemen know so little of what has passed in Ireland since the year 1793, as to imagine that the Roman catholics are now nearly on the same footing with the protestants; and that, since the above period, they have suffered no persecutions or exclusions. If there is any man who thus thinks, he grossly deceives himself. But passing over these circumstances, is it not self-evident, that the danger arising from the present state of Ireland, has been created by some of the king's ministers? Let the House go into an inquiry, and they will see on whom punishment ought to fall. If the ministers in Ireland are guilty, let them be punished: or, if his majesty's ministers here (which is much more probable) have been the cause of this irritation, let punishment

fall upon them. If Earl Fitzwilliam, rashly and wantonly running after popularity, has sacrificed the real interests of that country, he deserves the severest censure. But if it shall appear, that he has been trifled with, and shuffled out of his measures and situation by ministers here, in order to serve their own base purposes; if it shall appear that he has acted on the principles of prudence and patriotism, and that his government was founded on principles which tended to preserve the connection between the two countries, what punishment can be too severe for those who have been the authors of such double-dealing?

I am aware that it is a common argument against such motions as this to say, "Your final object is the removal of ministers; why, then, do you not do so at once?" My answer is, because I think we ought first to have an inquiry. At the same time I candidly admit my opinion to be, that if an inquiry be gone into, the result must be the removal of his majesty's present ministers. On what rational ground should this induce any member to oppose inquiry? Does any man who approves of continuing the war, hope for better success than we have hitherto experienced, while it is conducted with the same weakness and folly? Does any man who wishes for an end to the war, hope that his majesty's present ministers can obtain for this country a safe and honourable peace? If, after an inquiry into their past conduct, it shall turn out that they have acted justly and wisely, then let us continue our confidence in them: but if the contrary should appear, as I strongly suspect it will, then it will become the duty of this House to call them to an account, perhaps to punishment. This inquiry, among other advantages attending it, will discover to the nation the true causes of all our late failures and calamities. Wise men choose a wise object, and persist in their efforts to obtain it by varying the means as occasion requires, the object being still the same. The conduct of the present administration has been quite the reverse with regard to the war. Day after day, and motion after motion has varied the object, but they uniformly insist on the same means. Blood, war, and treasure are their means, however they may vary their object. They have constantly avoided making a choice between the two branches of the alternative I have stated. They have never decided whether they were making war for France or against France.

The present state of Ireland shews, that there is no part of the British empire in which the strongest traces of the minister's misconduct are not to be found. There are some occasions, one would imagine, upon which ministers must wish to be clearly understood. But men never get the better

of their nature; and whenever the right honourable gentleman expresses himself, he is differently understood by every man who hears him. It is not from any want of words, or choice of expression, that the right honourable gentleman does not speak intelligibly. He is misunderstood by the House; he is misunderstood by his own particular friends. He employs the gift of words not like other men, for the sake of being more distinct, but for the purpose of being misunderstood: even his new associates in the cabinet cannot understand him. Of him it may be said, as of a great man of ancient times, "*In rebus politicis, nihil simplex, nihil apertum, nihil honestum.*" If the House should agree to go into the inquiry, they will prove that they are really affected by the interests of their constituents. If they should resolve to go on without knowing who are our allies, or whether we have any, there will be too much reason for saying that our constitution is gone. In either case I shall derive from having made the motion, the satisfaction of shewing, that there are men in the House who believe the situation of the country to be such as it really is, and are anxious to do every thing in their power to avert the consequences so much to be apprehended. Mr. Fox concluded with moving, "That this House will resolve itself into a committee of the whole House to consider of the state of the nation."

Mr. Fox was ably supported by Mr. Sheridan. Mr. Pitt allowed the subjects proposed for inquiry to be of the highest importance, but said that this was not the season to discuss them. He concluded by moving, "That the House do now adjourn," after strongly admonishing the House to wave all notice of the affairs of Ireland, as improper at the present period, and likely to be productive of more perplexity than service to either of the two kingdoms. The adjournment was supported by Mr Canning, and also by Mr. Wilberforce, who thought the discussion of the affairs of Ireland at present might be attended with dangerous consequences.

Mr. Fox made a reply to the following effect.: I feel it necessary to say a few words in answer to what I have heard this night, and chiefly from the right honourable gentleman who moved the adjournment. Gentlemen have partly misunderstood my meaning, if they conceive that I have wished for a committee to inquire into the state of the nation on any one particular point; or that I wish particularly to agitate topics of war or peace, which have been already discussed in this House, in which I have not had the good fortune to agree with the majority. I meant, by moving for the committee, to inquire into the conduct of the war in general, in order that we might see how his majesty's ministers have

acted. Gentlemen on the other side say, they do not wish to turn out ministers. They say too, that they do not wish to inquire into the conduct of the war. That is natural enough; the meaning of it is obvious. They do not wish for an inquiry; that is, they know that an inquiry is likely to influence the opinion of this House upon the conduct of the ministers, and that, after being compelled to censure them, we shall, in justice to our own consistency, be obliged to vote for an address to the throne for their removal. I said that this country was in a situation that, on the face of things, called for an inquiry, and therefore I moved for it; and I believe that the result would be, that this House could not, consistently with its own honour, refuse a vote of censure on ministers, and an address for their removal; and therefore it is not mysterious that some gentlemen should be unwilling to go into an inquiry. But are we indeed to go hand in hand with the ministers, and not to inquire into their conduct, lest the result should be, that they must be removed? Are we indeed so very complaisant to administration, that rather than they should lose their power, the country is to be lost?

The right honourable genleman has thrown out something like a hint, that if he and his associates were dismissed tomorrow, and others more able were appointed in their stead, neither his majesty nor the public would look to those who support the present motion for their assistance. Now, Sir, upon that subject, I have no objection to say what I feel, and what, indeed, I partly expressed on a former occasion. If this war be to be carried on with more vigour than it has been on the part of this country, and by men of greater capacity than the present ministers, but on the same principles as have been hitherto avowed, and for the same object — and I know that there are many men who are friends enough to this war, to carry it on upon such terms — all I can say is, that there is not any thing that his majesty can offer to me — no, Sir, nor any thing that any potentate in Europe can offer to me, that should induce me to take any share in it. But is that, or can it be a reason why this House should not inquire into the conduct of ministers, who have brought upon the country such calamities — calamities that have never been equalled in any period of its history? Even those who were originally, and who may be still, against any terms of negociation for peace, should vote for an inquiry into the conduct of the war, and follow it up, if necessary, with an address to his majesty, to appoint some persons more likely to conduct it with success. The right honourable gentleman has said, that he is not answerable for what may be done by a minister abroad upon some particular occasion — an expression that is unworthy

of any man who calls himself a minister. The declaration of a minister abroad may create a war between two nations. Is it to be endured in this House, that the right honourable gentleman should say, "such a declaration was not mine, but was the declaration of Mr. Drake, or of any other ambassador?"

The right honourable gentleman has told the House to-night, that ministers have acted with regard to neutral powers according to the spirit of the law of nations, and that it will appear evident when the subject comes to be inquired into; and yet, with the same breath, he tells the House he will not consent to inquire into it at all. Then he tells us, that this is a business which ought to have been inquired into before, and much stress is laid on the time in which I have made my motion. Why, Sir, we have not been negligent on this side of the House in bringing forward questions upon the war. A motion was made early in the session, for a negociation for peace, which was negatived. Then came public business, the budget, and other subjects. But it is said, I have brought on my motion on account of the critical situation of Ireland. Now, Sir, with regard to that, I had formed a resolution of bringing this motion forward before the affairs of the country wore so serious an aspect as they do now, and before I had heard one word of what has lately happened there. I do not recollect the particular day, but I am sure the fact is so; and I believe I gave notice in this House of my intention to move for a committee on the state of the nation, before the late accounts from Ireland arrived.

I cannot help alluding to what one honourable gentleman has said to-night with regard to Ireland; he has said that he should vote for this inquiry, had I not expressed my intention of moving a resolution in the committee upon that subject. If so, Sir, let him vote for the inquiry into the state of the nation generally! and let him vote against the resolution with regard to Ireland when that comes to be proposed. With respect to Ireland, I conceive that what has happened has arisen out of the fault of ministers in this country. A great mischief to this country has been produced by the misconduct of ministers, and I say there should be an inquiry into that business, for the particular purpose of knowing who is really to blame, that we may proceed to censure, and, if necessary, to punish. With respect to the conduct of the lord-lieutenant, I can only say that I have a strong opinion, that when this business is fully investigated, the result will be to the honour of that nobleman, and to the shame and confusion of the ministers in this country. That is my opinion; but this house has no business with the opinions of individuals.

It is their duty to inquire into the fact. But it seems there is a great delicacy upon this subject. Now, Sir, I am of opinion there should be none, for what any minister does in his official situation is fair matter of inquiry in this House, whether it regards this country or Ireland. I have heard it said, that we should not interfere with the parliament of Ireland, and that my motion has that tendency. I mean no such thing. I only mean to inquire into the conduct of ministers. These subjects are debated in the cabinet, and perhaps sometimes particulars respecting acts of parliament in Ireland are debated in the cabinet; now I want to know, although I would not have this House interfere in the least degree, nor have we the power of interfering with the parliament of Ireland; but I want to know upon what principle it is that the cabinet should do more upon that topic than this House, or than the parliament of this country. I see no such principle; but I know, that with regard to any recommendation from the throne to the parliament of this or of that country, that is a matter for which ministers are liable to be called to account; for it is ministers who advise that recommendation. If it were not so, let me ask, what might the consequence be? Ministers may so conduct themselves that the situation of the two countries may be in imminent danger, and can that happen, and yet that we shall be told that we cannot interfere? Sir, I do assert that we have the power, and that we ought to exercise it, of calling for an inquiry; yes, Sir, and of proceeding to punish those who have been the cause of it. That such has been the conduct of ministers is undeniable. I have been told that I am putting Ireland in danger by what I have said to-night. But, Sir, who has put Ireland in danger most; I who have moved for an inquiry into the state of it; or those who, by their mischievous conduct, have made that inquiry necessary — I who respect both countries as much as any man in this House; or those who conduct themselves as if they regarded the interest of neither, when held in competition with their own power?

Sir, I say I have a right to call ministers to account for the danger in which they have involved the two countries. I wish to know whether it is to be laid down as a principle, that the general failure of the army, and the general mischief which the conduct of ministers has occasioned, are not to be considered as *prima facie* evidence of the necessity of inquiring into their misconduct. The right honourable gentleman says, that my conduct, if not counteracted, would tend to lower the dignity of this country. That a man, who has himself so lowered the dignity of this country, who has brought it to the verge of ruin by the obstinacy and the madness of his conduct,

should presume even to think that any body else could lower it more than he has done, is, I own, rather extraordinary. I desire to know, and I ask the minister to inform me if he can, when it was that I endeavoured to lower the dignity of this country? He alluded to the present war; what has been his conduct, and what did I advise this House upon that subject? I would have offered reasonable terms to France before the war commenced, and for that purpose I proposed a negociation; he affected to disdain it. What has been the event? Will even he himself attempt to say that there is a chance of making so good a peace now, as we might have had had then? Does he even hope he can ever negociate with the French in a situation less dishonourable to us than the present? I would have negociated with them before a fight. He must negociate after a fight, and after a defeat too, if he negociates at all. I would have negociated with them while we were rich in our resources and our commerce was entire. He must negociate when both are desperately impaired. I would have negociated before our allies were defeated, and while they were yet supposed to be in union. He must negociate after victory has been declared in favour of the enemy, and the allies have been deserting us and one another. After this, that such a man could possibly suppose he is supporting the dignity of this country, and that he should put himself on a footing with any gentleman, who has not the misfortune to be in the present administration, is an extraordinary thing, but it is an assumption of merit which is peculiar to his majesty's present ministers.

In the mean time, it is with heartfelt satisfaction I reflect, that in every thing I ever proposed, I have supported the dignity of this country. I regard it as a circumstance of good fortune to me, that I never gave an opinion by which one drop of British blood was shed, or any of its treasure squandered. It has been my fortune to oppose, perhaps unsuccessfully, that which brought this country into a disastrous situation: I mean the American war — a war disastrous indeed; but after all the calamity which it produced, we were happy then compared with the situation of this country now. Good God, Sir, that there should be a moment when the American war should be a state of happiness when compared to it! and yet so any person will find it to be on examining them both. The calamities of the American war bear no resemblance to the present. Does the minister deny the fact? He has never yet said it; and I should be glad to hear him aver it now, for I am ready to answer him if he does. The right honourable gentleman has thought fit to insinuate that those with whom I act never mention the glory of the British arms. The fact is notoriously

otherwise. There is not one instance in which we have withheld praise from any of our gallant heroes; on the contrary, we have been proud to praise them. The right honourable gentleman was not a member of this House in the time of the American war, but if he will take the trouble of inquiring, he may be easily informed of the part I took in praising the gallantry of the British troops. America, however, was lost. We are now in alarm lest we should lose Ireland; and I own to you, Sir, that I tremble for the fate of Great Britain. Is it then a thing to be endured, to hear a man accuse others of endeavouring to lower the dignity of the country, when we are doing all we can to save it, and are calling for an inquiry into the conduct of that very man who has brought us to the last stake, in which we are contending for our very existence? And shall it be still a question who is the best friend to the honour and interests of Great Britain? This inquiry may not take place, but I am glad the honourable gentleman (Mr. Wilberforce) has intimated his intention of again bringing the subject forward in some other shape. He can do it with great propriety. But I wish to be informed, if this committee be not granted, what I am to say to my constituents if they ask, Who are the allies of this country? What is our relative situation with the King of Prussia? What with the emperor? What has been the conduct of administration with regard to the war? What is the situation of Ireland? To all these questions I can only answer, "I cannot tell you any thing of these matters. The House of Commons would not grant me an inquiry; they went hand in hand with the minister." I wish the House of Commons to have credit with the people. I know there are enemies to this House; and if you refuse this committee, you will furnish more arguments against the House of Commons than any that ever were written upon the subject.

The question being put, That the House do now adjourn, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Canning Mr. John Smith	219.	NOES	Mr. Grey Mr. Sheridan	63.

So it was resolved in the affirmative.

Monument to the Memory of Captain Faulknor.

April 14.

THIS day General Smith moved, "That an humble address be presented to his majesty, That he will be graciously pleased to give directions, that a monument be erected in the collegiate church of Saint Peter, at Westminster, to the memory of Captain Faulknor, who commanded his majesty's frigate Blanche, and who fell gloriously on the 5th of January 1795, in an action with the French frigate La Pique, which was captured; and to assure his majesty, that this House will make good the expence attending the same." The motion was seconded by Mr. Grey, and opposed by Mr. Windham. No man, he said, was more ready than himself to allow, that no actions could have been more brilliant, and no life more illustrious, than those of Captain Faulknor. But the rule hitherto in usage was in opposition to the motion now proposed, and forbad them to give way to their feelings on the present occasion. What, he asked, had formerly been the case, with respect to Captain Gardener, and more recently with respect to Captain Courtenay, who had both fallen gloriously in the service of their country? Neither of these officers had any public monument erected to their memory. The rule had been only to erect monuments to those officers who fell in great and general actions, though the merit of those who perished in separate actions might be equally, and perhaps, even more distinguished. Honours must go either by rule or by discretion. They became less valuable by being lavishly bestowed. If the principle was to be extended, why should not lieutenants and midshipmen, who signalized themseves, come in for a share of the same distinctions? What he objected to in the present instance was, that the claims of individuals should be brought forward in that House for separate discussion. In order to get rid of the motion in the most respectful way, he should move that the other orders of the day be now read.

Mr. Fox said, that he should have thought it wise, reasonable, and just, to have at once assented to a motion founded on the ground of extraordinary merit. The right honourable gentleman had, however, thought proper to answer it by a long story of a rule which no where appeared. The right honourable gentleman had laid down a very true principle, that honours did not become more valuable in proportion as they were lavishly bestowed, and he wished it had been more attended to in the distribution of the votes of thanks last session. But, would the honour of any of the British heroes be tarnished by having the monument

of Captain Faulknor placed next to theirs? Would not the catalogue rather receive fresh splendour from the addition of so illustrious a name? When the right honourable gentleman laid so much stress on precedents, was he afraid that the precedents for conferring honours on such singular and extraordinary merit might become too numerous? He was sure that there was no precedent in which such a motion as the present had been brought forward and refused; and he trusted that the House on the present occasion would attend to the dictates of their own feelings and the national honour, rather than the authority of the right honourable gentleman.

After a short conversation, Mr. Windham professed his readiness to withdraw his motion for the other orders of the day if some mode could be found of adjourning the original motion, in order to search for precedents. The question was accordingly put and negatived. He then moved, "That the debate on the original motion be adjourned till Monday next." As soon as the motion had been seconded,

Mr. Fox rose and declared, that after attending to all that had been said of rule and precedent, he must reprobate in the strongest terms the motion now made; a motion which he would venture to say, was one of the most indecent, irregular, and disgraceful, that could have been made in that House. He wished to ask, on the subject of rules and precedents, by what rule or by what precedent they were to estimate the merits of officers who had distinguished themselves in an extraordinary manner? How could similar services be compared? And how could rules be made to direct and regulate the feelings of men upon such a subject? In his opinion it was impossible, and he hoped he should hear no more of that sort of argument — a sort of argument which, he would venture to say, never had been used in that House before, and one that he never imagined could have been urged against the motion of his honourable friend. But when the conduct of Captain Faulknor was admitted and known to them all, to be as gallant, as heroic, and as meritorious, as any that the page of history could boast of, it must seem rather extraordinary, that upon so extraordinary an occasion, a motion should be made for a committtee to search for precedents, as if that committee could search into the minds of the House and the minds of the public, for the degree of honour the country had reaped from the conduct of a brave officer, the degree of gratitude which his country owed him for his services, or the degree of warmth with which that House ought to express their feelings on such a case. His honourable friend (Mr. Grey) had very properly

brought forward the instance of the Earl of Chatham. Did it enter the head of any man at that time to talk of rules and precedents for granting rewards and honours so justly merited? Certainly not: and the case was somewhat similar, even upon the arguments of the right honourable gentleman who wished to search for precedents; for though there had been many able and good ministers, whose services had passed unnoticed by monuments, yet that sort of negative rule was not even started, nor did he believe there was a man at the time that could have thought of it. As to getting rid of the original motion, he was extremely sorry that any such idea had ever been entertained; but of all modes that could have been adopted, that of appointing a committee to search for precedents was the most unworthy, and, he must add, disgraceful to the House, that could have been suggested. This committee were to tell them, he supposed, what their feelings ought to be with respect to the merits of brave men, and what feelings were necessary to constitute a wish to express a sense of gratitude, either by honours or rewards, for services performed to the public. To decide upon the original motion, was the only way to do justice to such a case. And if they did not, and went into this committee of inquiry, he wished to know how the result would affect the House. If upon this search no precedent was found, which might be very likely, what would they do then? Perhaps they thought they enhanced the value of this tribute of respect, by considering the case after inquiry, as one upon which only such a testimony of national gratitude ought to be bestowed. Again, upon the much-argued point of rule and precedent, he would say once for all, that he knew of no such rule as had been alluded to, and he even denied that any such existed. If it did, it never had been stated. In the case of the Earl of Chatham, the House had, much to their credit, in his opinion, gone greatly farther than voting a monument to his memory; they amply and liberally provided for his family, and, small as the share he had in that transaction, there was no vote he had ever given that afforded him more satisfaction. What was the conduct of the House upon that occasion? Did any body think of searching for precedents? No; the only precedent mentioned was that of the Duke of Marlborough; but in his case it was because he had been a successful general, and by his victories had essentially served his country; the House of Commons, however, did not look to this as a rule or precedent, but considering that the Earl of Chatham had likewise rendered essential services to the state, were unanimously of opinion, that all who equally promoted the interests of the nation were equally intitled to the honours and rewards which their services merited. Mr.

Fox concluded by warmly exhorting the House to support the original motion, and to resist the adjournment, for the purpose of appointing a committee of inquiry, as derogatory to the honour and character of a British House of Commons, and highly unpopular and disgraceful in the eyes of the nation.

The question being put, That the debate be adjourned till Monday, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Windham, Mr. Ryder	25.	NOES	General Smith, Mr. Grey	29.

The motion for the monument was consequently carried.

KING'S MESSAGE RESPECTING AN ESTABLISHMENT FOR THE PRINCE AND PRINCESS OF WALES.

May 14.

THE marriage of his Royal Highness the Prince of Wales to the Princess Caroline of Brunswick having taken place on the 8th of April, the following message from the king was delivered to the House of Commons on the 27th:

"GEORGE R.

"His majesty relies on the liberality and affection of his faithful Commons, and on the cordial interest which they have manifested in the happy event of the nuptials of the Prince and Princess of Wales, that they will be ready to concur in such provision as they may judge necessary, to enable his majesty to settle an establishment for the Prince and Princess, suited to their rank and dignity. — On an occasion, in all other respects so satisfactory, his majesty feels the deepest regret in being under the necessity of communicating to the House, that the benefit of any settlement to be now made, cannot beeffectually secured to the Prince of Wales, without providing the means of freeing him from incumbrances to a large amount, to which he is now subject. — Anxious as his majesty must necessarily be, particularly under the present circumstances, to relieve the Prince of Wales from these difficulties, his majesty entertains no idea of proposing to his parliament to make any provision for this object, otherwise than by the application of a part of the income which may be settled on the prince; but he earnestly recommends it to the House, to consider of the propriety of thus providing for the gradual discharge of these incumbrances, by appropriating, and securing, for a given term, the revenues arising from the duchy of Cornwall, together with a proportion

of the prince's other annual income: and his majesty will be ready and desirous to concur in any provisions, which the wisdom of parliament may suggest, for the purpose of establishing a regular and punctual order of payment in the prince's future expenditure, and of guarding against the possibility of the prince being again involved in so painful and embarrassing a situation."—The said message was taken into consideration on the 14th of May, when Mr. Hussey proposed to have resource to the crown-lands, as a proper fund on this occurrence: their annual produce did not exceed 6000*l.*; but might with due management be carried to 400,000*l.* But his proposal was negatived; and Mr. Pitt proceeded to call the attention of the House to the propriety of making, without delay, a settlement of an adequate income for the prince, and of a jointure for the princess: 100,000*l.*, eighty years ago, constituted, he said, the whole revenue of his great grandfather, George II. then Prince of Wales; and the income of his grandfather, thirty years after, amounted to the like sum, exclusive of the duchy of Cornwall, computed at 13,000*l.* annually. The diminished value of money required a larger allowance; and the least that the prince had a right to expect was 140,000*l.* including the duchy of Cornwall. The marriage expences, he stated at 28,000*l.*, the completing of Carlton-house at 26,000*l.*, and the jointure of the princess at 50,000*l.* a year. He would leave it to the House to decide on the best manner of liquidating the prince's debts, which he calculated at 630,000*l.*, advising, at the same time, to consult on the business in a secret committee, as being the most expeditious method. His opinion was, that 25,000*l.* ought yearly to be appropriated to the extinguishing of the debts, and set apart from the prince's income for that sole purpose: by such a regulation, they would be paid off in the course of twenty-seven years. In case of his demise before the expiration of that period, that sum would be annually charged on the succession; but were a demise of the crown and of the prince to happen within that period, the charge would be laid on the consolidated fund. In order to obviate the incurring of farther debts, no arrears should be suffered to go beyond the quarter, and no claims, after its expiration admitted. Mr. Pitt concluded with moving, "That his majesty be enabled to grant a yearly sum or sums of money, out of the consolidated fund, not exceeding in the whole the sum of 65,000*l.*, to take place, and be computed, from the 10th of October 1794, towards providing for the establishment of their Royal Highnesses the Prince and Princess of Wales."—Mr. Grey said that he would not oppose the granting of an establishment to the prince, equal to that of his ancestors; but neither would he consent to the payment of his debts by parliament. Other means ought to be resorted to than the liberality of the nation, which would be very ill-timed in a season of so much difficulty and pressure, and no less ill-applied, when the manner of contracting the debts was duly considered. A refusal to liberate the prince from his embarrassments would certainly prove a mortification; but it would, at the same time, awaken a just sense of his imprudence. He would, therefore, move as an amendment, "That in lieu of 65,000*l.*, the sum of 40,000*l.* be inserted."

Mr. Fox said, that conscious that what he should feel it his duty to say would be acceptable neither to the crown, the Prince of Wales, nor the majority of the House or of the country, he could have no particular inducement to be very forward in troubling the committee with his opinion. It was undoubtedly necessary to support the splendour of the crown as an essential part of the constitution; but he did not understand calling it, as it had been called, the center of the constitution. The crown was dear to every man who loved the constitution, but not dearer than other parts of it, than the House of Commons, the popular branch of the constitution. To the chief magistrate in all governments, republics as well as monarchies, a certain degree of splendour was necessary. This was a point clear from the history and practice of all governments, but subject to modification, as circumstances might require. There were cases in which the dignity of the crown might be better upheld by relinquishing part of its accustomed splendour than by a strict adherence to it. Much had been said of the establishments of former princes of Wales as precedents. Sorry he was that he could not look to those precedents as the most creditable parts of the history of the house of Brunswick. The establishment of George II. when Prince of Wales, had been a mere matter of party; how much more that of his son, Frederick Prince of Wales! The establishment of Frederick Prince of Wales had been at one time 60,000*l.* at another 100,000*l.* a year; 60,000*l.* a year when he happened to differ in political opinion from his majesty's ministers, and 100,000l. when he afterwards agreed with them. He had too much respect for the memory of that prince, to impute to him motives inconsistent with the honour of his high station, inconsistent with the honour of any private gentleman, but the circumstance gave room to suspicions in the country, as injurious in their tendency to the prince as to the people, for mutual respect and confidence were necessary to the interests of both.

What he now deprecated was a conduct on the part of the House that might expose any prince of Wales to such suspicions. Let all men see that they meant to be guided only by the actual principles of the case, and not by regard to the individual. And here he must lament the whole conduct of government with respect to the establishment of his royal highness. When an allowance of 50,000*l.* a year in addition to the duchy of Cornwall was proposed, he thought it insufficient. Why, then, it would be asked, being one of his majesty's ministers at the time, did he concur in that allowance? He concurred, declaring his opinion of its insufficiency, because it was then an experiment, and great deference was due to the opinion of his majesty, who gave the whole sum out of

the civil list, without calling for the aid of parliament, and thought that it would be sufficient. A few years after, other ministers advised his majesty to apply to parliament to exonerate the civil list from this allowance to the prince. In 1787 an honourable magistrate (Mr. Alderman Newnham) brought forward the subject again before parliament, when provision was made for paying the debts of his royal highness, and 10,000*l.* a year was added to his income. This was no new experiment, but the result of an experiment already made. He then thought 60,000*l.* a year in addition to the duchy of Cornwall an insufficient allowance; but his mouth was stopped by the terms of the king's message, conveying very clearly both the king's opinion and the prince's, that it would be sufficient. The declaration of his royal highness, that he would give no occasion for any future application to parliament on a similar account, surprised him not a little. He knew not who had advised him to make such a declaration; but if his royal highness at any subsequent period had consulted him upon the subject, he would have said, that, being made, it was a promise which, for his honour, he was bound to keep. It was, however, the opinion of ministers, and of the chancellor of the exchequer in particular, whose duty it more immediately was to form a correct opinion, that 60,000*l.* a year, in addition to the duchy of Cornwall, was sufficient for the splendour of the Prince of Wales at twenty-five, and for reinstating his household, which he had dismissed.

Upon what principle, then, did they now pretend to say that 125,000*l.* a year was necessary? Marriage, in the lower classes of life made a great difference in point of expence, but did it in any thing like the same proportion among the higher ranks? His royal highness, before his marriage, had a house and a household. Did his marriage require two houses and two households? How, then, was it possible for those who in 1787 said that 73,000*l.* a year was sufficient for his expences, to say that 138,000*l.* must be necessary now? He could not but lament that the same conduct seemed to be adopted with respect to the establishment of his royal highness as had taken place with respect to that of Frederick Prince of Wales; that ministers measured the extent of his allowance by the degree of approbation he bestowed upon their system of government; and that the House, following them, was to be guided, not by principle, but by circumstances of a very different nature. It might be asked, whether he did not feel such a difference as he supposed ministers to feel? He would answer, that he did not; that he had never considered his royal highness in any other point of

view than as the heir apparent to the throne; that he had never looked to his opinions, but to his station. He might then be asked, whether he, who had always thought the former allowances to his royal highness insufficient, would not now vote for the larger sum, in preference to the amendment moved by his honourable friend? Undoubtedly he would, and for the reasons he had stated on former occasions, but not without some provision for preventing such applications to parliament in future. The difference between the present value of money, and the value of it when 100,000*l.* was an adequate provision for princes of Wales, required at least an addition of one fourth. He should be answered, that the increase of public debts and public burdens made the country less able to bear large establishments. He admitted and lamented the increased and increasing burdens of the country; but with increase of public debts, let the increase of public means to provide for them be taken into consideration. Let gentlemen look to what he wished ministers had looked to in 1787, the increased habits of expence in all ranks, and the difference of one fourth would certainly not appear to keep pace with it.

His honourable friend who moved the amendment, had spoken of the evil tendency of such habits; but, was the Prince of Wales the first example they would choose to select for reform, and, in some sort, for punishment? He remembered to have heard a lady, as weak and as frail as the frailest of her sex, say, not ludicrously but seriously, "I am conscious of my faults; but I hope I atone for them by my marked disapprobation of such faults in others." It would ill become him to be very pointed in his disapprobation of imprudent expence in others; but he would say to the city, to Westminster, to the public at large, "If you complain of increased habits of expence, begin the reformation by reforming yourselves." Reference might be made to the liberality of parliament to other princes, to the crown itself. Whatever they might say about the separation of the three branches of the legislature and their independence of one another, it could not be dissembled, that the crown, having the disposal of all offices civil and military, with the collection of near twenty millions of revenue, must possess great influence in that House. Would it, then, be seemly to yield to every extravagance of the crown, but act harshly and austerely towards a prince who had no such influence? Something on this occasion might have been expected from the civil list. Queen Anne, from a civil list of 600,000*l.* gave 100,000*l.* towards the support of a war. George I. out of 700,000*l.* a year, gave 100,000*l.* for the establishment of his heir; and George II. the same sum for the

establishment of Frederick Prince of Wales. During the American war, when the country was not certainly in a state of prosperity, parliament paid a large debt for the civil list, and added to it 100,000*l.* a year. The sum appropriated to the privy purse had been gradually increased from 36,000l. to 60,000*l.* a year. Why, then, refuse a proportional increase to the establishment of the Prince of Wales? These arguments he had formerly stated to the House without much effect; and if they produced any effect now, it would be from being enforced by eloquence superior to his.

But with the establishment, unfortunately, the business did not end. There were debts, as stated, of his royal highness, to the amount of 620,000*l.* and several other debts for which he was bound. The latter, he understood, much to the honour of those who had contracted them, were already in a course of payment. But supposing the creditors to think the mode of payment too slow, they might call upon the prince for payment, as well as his own creditors, and therefore, to relieve him from his embarrassments, if to do so was intended, these debts must be put upon the same footing as his own. Hence arose two questions, — Was the prince well advised in applying to that House on the subject of his debts, after the promise made in 1787? or the minister justified in making any proposal for liquidating them, without some engagement on the part of his royal highness, which might be relied upon as a security against future calls of the same kind? To both these questions he must give a decided negative; and therefore he would consider only what was a proper establishment for the prince, without noticing his debts. Here again, a new consideration interposed, viz. that of the Princess of Wales, who had been invited over by the unanimous consent of parliament and the country, and for whom the House, by its addresses, stood pledged to make a suitable provision. It was in vain to pretend, that the House was not aware of the embarrassments of his royal highness at the time they gave that pledge; not one of them but knew the fact although not regularly informed of it by a message from his majesty. For this reason only he would assent to a plan for relieving his royal highness from those embarrassments, but not without an absolute sinking fund, for liquidating the debt within a reasonable time. The right honourable gentleman proposed appropriating 25,000*l.* a year for payment of the interest, at four per cent., although interest was at five per cent., and the income of the duchy of Cornwall to liquidate the principal, which, according to this plan, would be discharged in about twenty-seven years. Was this a plan that any man could propose seriously? Rather let the House own that they did

not mean to pay off the debt, than hold out such a mockery. Their duty to the prince and to the public was the same, for in consulting his dignity, they consulted the public interest. But in what way would his dignity be best preserved? By retaining all the splendour of his establishment, his creditors unpaid, or by setting apart such a portion of it as would liquidate his debts, and atone for past indiscretion by future economy? To do this would be his advice to his royal highness, were he to condescend to ask it in his closet. He gave it not, as he then must give it, for the sake of popularity, of which he was no courter, except as it followed an honest discharge of duty, and which he was never less likely to obtain than by the course he was taking on the present occasion.

If only 25,000*l.* were applied to the liquidation of his debts, his carriages, horses, servants, every article of his state, would remind the public of what it was much better the public should forget; but let such a reduction as he proposed be made, and men's feelings would soon take a contrary turn; they would pant for the moment that should restore the prince to the enjoyment of his full income; and when it arrived, view his splendour with pride and satisfaction; 65,000*l.* with the income of the duchy of Cornwall, would form an adequate fund for the payment of his debts within a reasonable time. It might be asked, if the prince could live in a way becoming his state upon 60,000*l.* a year? He would answer, No; nor upon 100,000*l.* a year; for if he could, ministers, upon their own principle, would not be for giving him 125,000*l.* a year. But for a time he might spare his great officers of state, and other expensive appendages of his rank, and the public would gain a beloved and respected Prince of Wales. Upon 100,000*l.* a year he would be expected to maintain his full establishment with an inadequate income, and would neither be able to clear away his old incumbrances, nor to avoid new. Upon 60,000*l.* he would be expected to consult nothing but his domestic satisfaction, and the honourable discharge of his just debts; and when he had once experienced the public esteem and affection that would soon follow such a plan, his future years must be prosperous indeed, if he counted the years of his probation the least happy of his life. All this might be done much sooner, and without expence to the public.

It had ever been his opinion that a land estate was the least proper of any for the crown, the most objectionable on account of the undue influence it was calculated to create, and the least likely to be profitably managed. The duchy of Cornwall, as he was informed by persons well acquainted with it, might be sold for 800,000*l.*; he would suppose for

only 600,000*l.* The prince's life-interest in it might be valued at 300,000*l.* and that sum applied to the payment of his debts. The remaining 300,000*l.* might be applied as parliament should think fit: to the future provision for Princes of Wales, if they were so attached to customs, merely because they were old, as to think it worth while to continue that whimsical sort of provision. There would remain 320,000*l.* of debt, which the fund he had mentioned would pay off in three or four years, when his royal highness might resume his state, with the satisfaction that his indiscretions had not cost a penny to any one of those whose fellow-subject he was at present, and whose sovereign he was one day to be. The middle course proposed by the right honourable gentleman would neither give splendour to the prince nor comfort to the private gentleman; but above all, the people would see in it no atonement for past imprudence.

He approved of taking measures to prevent future debts being contracted, provided the plan was to be general. If it were to apply to the Prince of Wales individually, it would not be a mark of respect but of degradation; if applied to all future kings and princes it should have his hearty support. It would relieve parliament from the difficulty which always occurred when debts were contracted by the royal family, that unless provision was made for the payment at the public expence, the creditors must lose the money. In making the officers of a prince responsible for all debts in their several departments, there appeared to be such inconveniences as he thought could not be obviated. Why had not his majesty been advised to do something upon this occasion himself? Was it for the interest of regular governments that monarchs should never appear to their subjects to feel any portion of the public adversity; that they should grow rich as the people were growing poor? In private families the indiscretion of a son was a misfortune which his family felt, and must make sacrifices to repair. The imprudence they all lamented was partly of this nature, and something might have been expected towards repairing it: 100,000*l.* would not have gone far in money, but it would have gone far in sentiment. It was not wise in those who talked of the dangers that threatened monarchy, to suffer kings and princes to be known only to the people by expences and taxes.

A more unpleasant duty, Mr. Fox declared, he had never performed in parliament. The illustrious person whose honour and interest, in conjunction with those of the public, he was anxious to promote, would not perhaps much relish what he had said, if it should be reported to him; but, grateful as he was for the personal notice and kindness with which

his royal highness had sometimes honoured him, he never had spoken, nor would speak of him in that House, but relatively to his station, not to his own private feelings. The smallness of his income palliated his debts, and, had it not been for the promise in 1787, might have excused them. All who knew him knew this to have been his constant opinion upon that point. The prince had not been fairly dealt with, as to the revenues of the duchy of Cornwall during his minority. What the act of parliament gave to him from his birth, had been applied by successive ministers to the purposes of the civil list. It was a miserable plea to say, that they had been expended on his education. Would any man of fortune, whose son had a distinct income, charge him with the expences of his education? Mr. Fox concluded with repeating that he would vote for 125,000*l.* to the Prince of Wales, but that he would oppose taking any notice of his debts, unless a large fund for liquidating them were appropriated in some such way as he had suggested.

The committee divided on Mr. Grey's amendment: Yeas 99: Noes 260. After which a second division took place on the main question: Yeas 241: Noes 100.

June 1.

Mr. Anstruther, solicitor-general to his royal highness the Prince of Wales, as Duke of Cornwall, acquainted the House, "That the Prince of Wales, while the question relative to his establishment was under the consideration of the House of Commons, had thought the proper conduct for him to observe was to avoid expressing any opinion or wish upon the subject; fully sensible that the liberality and wisdom of parliament would make such arrangements as should be best suited to the situation of his affairs, the dignity of the royal family, and the interest of the public: but having understood, that it was the desire of many respectable persons, that his wishes and opinions upon the subject should be known, his royal highness had authorized him to assure the House, that he is extremely desirous that such regulations may be adopted, as to the wisdom of parliament shall seem most expedient and advisable, for the purpose of establishing order and regularity in the expenditure of his income, and to prevent the incurring of debt in future.—And, at the same time, his royal highness had authorized him farther to express his earnest desire, that the House will appropriate such part of the income, which they may intend to allot to him, to the liquidation of the debts with which he is embarrassed, as, under all the present circumstances, shall seem to the wisdom and prudence of the House most expedient and advisable; fully sensible that, however large that appropriation may be, the House will be guided solely by the

consideration of what shall appear to them the most conducive to his honour, and the interest of the public." In consequence of this communication, Mr. Pitt moved, "That it be an instruction to the gentlemen who are appointed to prepare and bring in a bill for enabling his majesty to grant a yearly sum or sums of money, out of the consolidated fund, towards providing for the establishment of their Royal Highnesses the Prince and Princess of Wales, that they do make provision in the said bill for establishing a regular and punctual order of payment in the prince's future expenditure, and for guarding against his incurring debts in future; and also, for appropriating a proportion of the prince's annual income towards the gradual discharge of the incumbrances to which his royal highness is now subject."

Mr. Fox declared it to be his wish to separate the different parts of this subject, and to keep them as distinct from each other as possible. The House was now in rather an advanced stage of this proceeding; and here he could not help congratulating the House and the public, that his royal highness, by his communication, had acted in a manner that did him honour; and he trusted he would finish a plan which he had so worthily begun. With regard to the motion now before the House, he confessed he did not know upon what principle opposition was made to it. He did not understand the motion to be that of calling on the public to pay the debt in any degree. It was only simply the setting apart some of the income of his royal highness for the purpose of discharging his debt. He wished, however, the House and the public not to be deceived upon this business, for although there was not a shilling to be voted in this stage of the business out of the pockets of the public, yet it was clear that a request would come to call on the public for security against the contingent event of the demise of his royal highness. That was a thing not to be dissembled. But with regard to what was now before the House, he should vote for it, even if he had thought that the smaller sum proposed as the income of the prince had been better, under all the circumstances, than the larger, because it was nothing more than to enable his royal highness to set apart some of his income to the discharge of his incumbrances. It might be said, that the prince could do this himself: he certainly could not effectually, nor could he without the aid of parliament at all adopt a plan that would satisfy his creditors. In this stage of the business, therefore, Mr. Fox said, he must have voted for this motion, even without any idea of inquiring whether any contingent burdens would be laid on the public, because that question was not be governed by the present decision; when that question came it would be time enough to discuss it.

And here, he said, he might finish his observations on the part of the subject now before them; but it had been often thought, if not strictly regular, rather convenient, sometimes to make some general observations on the topics which might be expected to be brought forward hereafter upon the matter. He had not seen any reason for altering the opinion which he gave upon this subject on a former occasion. The circumstance of his royal highness's happy marriage, which we all knew took place with the approbation of parliament long after it was well known that his royal highness was deeply involved in debt, certainly made part of the deliberation of the House. He owned there was a point on which he could not help touching, as being extremely applicable to this case. He thought he might look for some resources upon this occasion from his majesty. It might be said, he ought not to give any thing very considerable; this was a point into which he could not enter until his majesty had notified his royal disposition to give something. He most egregiously mistook the sentiments of the public, if something of this nature would not be very well received by them. He did not say that the whole 600,000*l.* should be paid by his majesty; but he would say, because he felt, that it appeared a little unseemly, that at a time of such general calamity, his majesty should be the only person in the kingdom who did not contribute a single farthing towards the discharge of the incumbrances of the Prince of Wales. This, he could not help repeating, was unseemly. He hoped his majesty would be better advised upon this subject. A glorious opportunity offered itself for the display of royal munificence, and liberal conduct upon such an occasion as this would do more even for the constitution than the most vigorous exertion of the arm of power. It was with this view that he had contended, and sorry he was that he had contended unsuccessfully, against the additional 100,000*l.* a year to the income of his majesty himself during the continuance of the American war, because, when all the subjects of his majesty felt so much during that war, he thought that his majesty would do well to shew them a lesson of frugality and economy. If this principle was correct, and the application of it just, at that time, how much more so was it now, when the question is — "What burdens are to be laid upon the public to relieve the Prince of Wales from debt?" He would say again, it was unfortunate that some person had not advised his majesty to lead the way, and shew the public an example of liberality upon this occasion, and to convince them that he felt himself the necessity there was of indulging a generous temper. When this subject should come to be dis-

cussed, happy should he be if the House, by a gracious communication, should be given to understand that the illustrious personage to whom he alluded intended to take some share of the contingent burden which might be felt from this situation of his royal highness. He trusted also that the whole of the additional income of his royal highness, together with the duchy of Cornwall, would be appropriated solely to the liquidation of the debts. It would take ten years even then to discharge them. But he still adhered to his original idea of making a very different disposition of the duchy of Cornwall from what had been proposed by the minister. According to his idea of the thing, the public would have a considerable advantage by the sale of the duchy of Cornwall, in a pecuniary sense, as also from the diminution of the patronage of the crown, already much too extensive; and it would also place many gentlemen, now interested there, in a situation much less dependant than they are at present. It would also relieve his royal highness himself from dependence on the crown, and on the minister of the day, a thing in itself extremely desirable, as well for the heir apparent of the throne as for the interests of the public; for a prince ought to be an opulent and independent nobleman, before he became a wise, virtuous, and illustrious monarch; and in proportion to the elevation of his rank, must a state of dependence be painful to his feelings, and dangerous to the public. He concluded with giving his assent to the present motion.

June 5.

Mr. Pitt moved, "That this House will, upon Monday next, resolve itself into a committee of the whole House, to consider of providing for the appropriation of an annual sum out of the consolidated fund, for the liquidation of such of the debts, now owing by his Royal Highness the Prince of Wales, as may remain unpaid, in the event of the decease of his royal highness." He said, that in proposing this motion, the question was whether, by refusing their countenance to this provision, the House would render all their other liberality ineffectual. All other provisions, except that which he was now to propose, would be inefficient both as to the security of the creditors, and the comfort and ease of his royal highness. It was certainly attended with some degree of risk to the public, but it was one of the unfortunate considerations, which could not be separated from the present discussion, and except some other mode could be found consistent with justice, propriety, and policy, they were driven to that option. Sir William Young said, that because he was attached to the royal family he did not wish that the debts should be taken notice of at all. The mode of procedure adopted by the right honourable gentleman tended to

degrade the Prince of Wales: it put him, as it were, in leading strings, and held him out as unworthy of confidence.

Mr. Fox said, that he conceived no such construction could apply to any measures taken to regulate the expenditure of his royal highness. When the House voted for Mr. Burke's bill, they had acted in the same spirit. He then conceived that the elevated situation of his majesty gave a right to that House to lay him under the restrictions which they then imposed; because, proud as his situation was, he owned no greater station than that of servant of the people. Before, in the present instance, he consented to burden the people, he wished to know, whether what he should grant would be effectual for the purpose for which it was demanded. As far as he understood, there was no compulsion upon the creditors to accept of the terms now offered. He did not wish to impose an additional burden upon the public without some reasonable certainty that it would really be effectual. The whole of the business had been conducted unfortunately. There ought first to have taken place some arrangement between the prince and his creditors, that it might be known what terms would be accepted, if a certain security was given. The right honourable gentleman had intimated his intention to fill up the blank in the committee with the whole additional sum of 65,000*l.* and the revenue of the duchy of Cornwall. He certainly did not think the sum of 78,000*l.* a year too large for the purpose of liquidating the debt. But how was the right honourable gentleman to get at the revenue of the duchy of Cornwall, as he understood that the present income of his royal highness was conveyed in trust for the benefit of his creditors? It was very unfortunate that the House should be called to impose a contingent burden upon the public, without either the certainty of relieving the Prince of Wales, or of satisfying his just creditors.

He was now called upon to perform the last disagreeable task which had fallen to his share in the present discussions. He had not flattered the people, because he had voted for the larger sum; he had not flattered the prince, because he had pretty plainly explained his sense of the manner in which that sum ought to be appropriated; nor would he, in what he had now to say, flatter that other party, whose immediate favour might be deemed still more important. He sincerely lamented that, as a ground of proceeding, parliament had received no intimation from his majesty, that in any possible contingency he should take upon himself the charge of the debts. They might then have had the consolation to say that it was a transaction which had been equally unfortunate for all parties;

that the public had suffered from the imposition of an additional burden, that the prince had suffered from a diminution of splendour, and that his majesty had suffered in common with his family and his people. If the bill went forward, he certainly should vote for the appropriation of the 78,000*l.* which the right honourable gentleman had stated would extinguish the debt in about nine years. The risk of the public in that case was certainly not great; but why, he asked, should the public be subjected in this instance to any contingent risk? He adverted to the case of Frederick Prince of Wales, whose income had been increased from fifty thousand to one hundred thousand pounds, and had still been charged upon the civil list. He proposed to move, that in case of the demise of the Prince of Wales, the portion of his debts, which should then remain unpaid, should be defrayed out of the civil list. It might be said, would not so large a defalcation oblige parliament to grant an additional supply to the civil list? To this he would only answer, that it would then remain for parliament to consider what were the peculiar circumstances of the time, and whether the state of the civil list was such as called upon them for an additional sum. When the civil list was increased by accidents; he did not mean to an inconsiderable amount;—he particularly alluded to the death of the Princess Amelia;—he never had heard of any message stating to the House that it had been freed from such incumbrance. If the civil list likewise was lightened of some of the burdens with which it was at present charged, it might then be adequate to undertake the debts; if not, it would be for parliament to consider, according to the circumstances of the time, what supply it would be proper to grant.

There was another material argument, which must make every man sincerely lament that any question with respect to his royal highness's debts, was ever moved in that House at all, but more particularly after what passed in the year 1787. He was sure he was one, when that promise was given, who doubted the propriety of giving it. He should not have advised his royal highness to have made it. The misfortune was, that promise: whether justly made or not he should not determine, but that House, in their address on the subject, did receive that promise, and therefore, from the moment his royal highness knew that event, he had deliberately bound himself by it. After such a promise, it was extremely to be lamented that the prince's debts should be brought under the consideration of that House. He felt so much for the prince's situation, that he thought his debts should have been arranged, as they ought to have been, as a family concern. With regard to the marriage of his royal highness, he found

a difficulty. He had formerly thought, and was still of that opinion, that that House knowing of the marriage, which was a public matter, did, by their approbation of that marriage, seem to give something of a pledge to his royal highness, and to his illustrious consort, that they would place them in a situation becoming their rank and dignity. He admitted an answer had been given to this point by an honourable gentleman, when he observed, that the marriage had been actually agreed on, and had the winds and waves permitted, would have been celebrated before the meeting of parliament. If that House could in any remote degree be considered as parties to that marriage, they were bound to that illustrious and amiable princess, whom they had invited over to this country, to make a provision befitting her rank and station. But if that could be considered in any degree as an obligation on that House, how much stronger was that obligation on his majesty, who was not remotely, who was not contingently, a party to that marriage, but was the direct, immediate contracting party? If that House was bound, by the remote share they had in the marriage, to rescue the prince from his involved situation, how much more was his majesty bound, who had advised him to it? How much more were those bound who were parties to the marriage, not by remote construction, but who were the direct and immediate parties? How much more were they bound to bear their share, either of the immediate burdens or contingent risk, which were rendered necessary in consequence of that marriage! He had no difficulty at that moment to negative the motion; first, because they were not ready for it; and secondly and principally, because that House ought not to vote for contingent burdens on the public, when the civil list might be able to bear it. But he requested them to consider the necessary and immediate effect of that event against which the motion was intended to provide; 60,000*l.* would be saved to the public, at the same time 50,000*l.* of that would go for the jointure of her royal highness; but there was no more certainty in her life than in that of the prince. It might be said, on the other hand, in case of both these unfortunate events, there might be another Prince of Wales. Certainly, if their royal highnesses should have issue.

In the mean time, as all these contingencies were possibilities which might or might not happen, was it not safest, was it not wisest, to lay the burden where it ought to fall, on his majesty's civil list? And if at the time the burden was such as was inconsistent with the circumstances of the country, then that House might take it into its consideration. That civil list might be exonerated from the payment of a

jointure, and from certain allowances that were now paid to several branches of the royal family; and though they had a Prince or Princess of Wales that was an infant, that circumstance would not occasion great expence. He would only subject the nation to a contingent risk, when it appeared to be a matter of absolute necessity. Nothing but political necessity should induce him to do so unfair a thing to the public, and to the Prince of Wales himself, as that it should be understood throughout the country and the world, that the public were suffering burdens on account of the indiscretions of his royal highness. The interest of the prince and of the public were not distinct, but one and the same.

He said he had stated some difficulties on this subject which had occurred to him, and which gentlemen on the other side of the House would do well to consider. It would be a most fortunate circumstance, in his apprehension, that the memory of these transactions should be obliterated as soon as possible. The Prince of Wales's debentures in the floating stock of the country, and the name of the prince as connected with those debts, was not a very pleasing circumstance. He hoped such a mode of proceeding would be avoided. It had been observed by the right honourable the chancellor of the exchequer, that the exchange of the hereditary revenues of the crown for the civil list, was the effect of an engagement between the king and his parliament. He took that not to be the case, or it was the most improvident bargain the public ever made: the English princes preserved their hereditary revenues, and parliament gave them what made it amount to 6, 7, or 800,000*l.* He believed these hereditary dominions never amounted to 300,000*l.* a-year, and the only difference of the arrangement between the parliament and the present king and of former kings, was this, that to former kings they left the hereditary revenues, and gave them a very large income instead of a civil list. With regard to the present king, instead of making up the hereditary revenue, they gave him 900,000*l.* per annum, and took the hereditary revenues of the crown into their own hands. They gave him that sum, not as an equivalent for the hereditary revenues of the crown, but as a sum that was necessary to support the dignity and splendour of such a magistrate. He would never agree to lay the smallest contingent burden on the nation, when probably at the very moment the burden began to be felt, the civil list might be in a prosperous state, and fully able to bear this expence. Some gentlemen thought the country were bound to submit to that expence, because they had been parties to the marriage. If that obligation operated at all on that House, it was ten thousand times stronger on his

majesty, who was the only man in his dominions who was to contribute nothing towards this burden. On these grounds he should give his negative to the present motion.

Mr. Sheridan opposed the motion, and moved an amendment, by inserting after the words "consolidated fund" these words, "provided it shall appear to this House, upon due investigation of the subject, that the means of paying the said annuity, or part thereof, or of his royal highness's debts, cannot be derived either from his majesty's civil list or from the suppression of sinecure offices and useless places now paid by the public."

Mr. Fox said, he certainly could not agree to the amendment moved by his honourable friend; but he must say, that in the speech which prefaced that motion, he had heard as much good and strong sense spoken as ever was uttered in that House, and particularly upon that point which seemed so obnoxious to the right honourable gentleman over the way — the propriety of granting any assistance from the civil list. He thought, with the right honourable gentleman, (Mr. Dundas,) that it was better to give the civil list to the king for life, than annually, as his honourable friend had wished it. But he could not agree with the right honourable gentleman, that the king should not come forward upon this occasion, because the debts were contracted without his knowledge, and out of the reach of his control. For if this reason applied to the king, it surely applied more forcibly to the public, who certainly had no sort of control over the prince's expences, nor any knowledge how they were contracted. With regard to the message from the king on this subject, was there any man in the House who did not know that if his royal highness's marriage had not taken place, no such message would have been heard of? It was, therefore, obvious that ministers approved of that marriage, which he had not the least doubt would eventually prove a most happy event for the country; and was it not, then, their duty to have prevented any such application as this coming to the House? The prince ought not to be accused of breach of promise; he did not believe that he had got into this dilemma intentionally, but ministers were much to blame for the bad advice they had given both to his majesty and to the prince. It must always be an unpleasant thing to lay new burdens on the people for the royal family. What had happened in a former reign had shewn the impolicy of such steps; and they must be particularly obnoxious now. He denied that the doctrines of his honourable friend were new. They were the same as he had held, and had often before mentioned in that House. He knew that there

were some who did not advise any reduction of expence in the prince's establishment; but they were not his friends: and as to the king's expences, he always had thought they ought to be accommodated to the civil list, instead of the civil list being accommodated to them. He contended, that the opinion of the country was with him in asserting, that, if the king had honest ministers about him, they would have advised him, for his own sake, for the prince's sake, and for the sake of the country, to have come forward. At an early period the creditors ought to have been called together, and some means attempted to satisfy them: if it could not have been done, then it was time to come to parliament. Mr. Fox touched upon the allusions made at different times to the prince's being connected with party politics, in opposition, as it was called, to government, because he happened, for the time, to agree with those who generally opposed ministers. He thought the new advisers of the prince had not increased his popularity; and believed, that his own wish and inclination three years ago was, to have retrenched his expences, in order to get into some probable train of paying his debts; but it was suspected, and he, for one, was now certain of it, that very different advice had been given to him; and that the example of M. Egalité was held out, as a warning, that, to take any steps such as were proposed, would be dangerous to the cause of monarchy. He stated his grounds for voting on a former night for granting an income of 125,000*l.* per annum to the prince, which were, because he thought that he, or any Prince of Wales, required it; and he would have so voted if his royal highness had not been a sixpence in debt. He thought his honourable friend had done well in proposing that the civil list should contribute towards the payment of the debts, and insisted that it was much more consistent with those old fashions which the right honourable gentleman professed himself attached to, than the mode now proposed by an application to parliament.

Mr. Sheridan having consented to withdraw his motion, the House divided on the main question:

	Tellers.			*Tellers.*	
YEAS	Mr. Anstruther Mr. John Smyth	148.	NOES	Mr. Jekyll Mr. Whitbread	93.

So it was resolved in the affirmative.

June 8.

On the motion for going into a committee on the Prince of Wales's annuity bill,

Mr. Fox said, that if he voted for the Speaker's leaving the chair, he ought to state the ground upon which he did so; for he confessed there were doubts and difficulties in this business. If the question were now put that the bill be put off for two months, he should certainly give his negative to such a proposition, because he thought that this business ought to be discussed; but he was of opinion also that time ought to be given to examine into the different parts of it. There were, in his opinion, many arrangements to be made by his royal highness, and many arrangements also to be made by his majesty's advisers, with regard to the duchy of Cornwall, before the subject was matured for the decision of that House. Much of this bill, he confessed, he considered as proper. He thought that making up the income of the Prince of Wales 125,000*l.* a-year, was proper; he thought it becoming the dignity and the wisdom of parliament. With respect to the provision in the bill, to prevent his royal highness from incurring any debt in future, that had also his complete approbation. But what apperaed to him objectionable was, that by this bill they gave to his royal highness that which they did not give him the management of. The whole matter, he feared, would be under the management and approbation of the minister. It was placing the prince in a state of dependance on the king's treasury, which was, in other words, subjecting the prince to the power of the minister. He was dissatisfied with regard to the regulation of Carlton-house. The property there was added to the debts of the Prince of Wales. To whom should the furniture there belong? To the Prince of Wales, who paid for it, certainly. And yet they were to be made heir looms — so that parliament might say to the prince — "You have furnished Carlton-house more expensively than you ought to have done, but we shall have it." This was a little unfair with regard to the prince: it was very unfair with regard to the creditors; because the furniture, if this provision were not in the bill, would be moveable assets, subject to the payment of the debts; and perhaps this would operate to the prejudice of those very creditors who had provided this very furniture. Now, if he voted for the Speaker leaving the chair, it must be under an understanding that these difficulties should be removed; because, without a better

understanding of many of the topics, he would venture to say, that the House might be now doing what would neither effectually relieve the prince, nor secure the public property. As to the duchy of Cornwall, he confessed he was exceedingly anxious that it should be wholly sold. He confessed there would be some difficulty in ascertaining precisely the value of the interest which his royal highness had in that duchy, because it was not a life estate that he had in it, it was only while he continued Prince of Wales; but in any event the sale would produce more than it could produce to his royal highness in its present state. He thought it would produce 600,000*l.* He was far below the value he believed, but he would take it at that sum. The sum to be appropriated out of that for this debt would be very considerable; instead of the 13,000*l.* a-year, it would amount to 330,000*l.* if the money from the sale was put into the hands of commissioners, in the name and for the use of his royal highness. If this was called bargaining with the prince, and therefore unworthy of the House of Commons, he should answer, that it was a perfectly constitutional proceeding, and that this country never had better security for its liberty than when it made these kinds of bargains with its princes. He should wish that something of this kind should be moved, and he had rather that any other person should move it than himself. If nobody did, perhaps he might; this, however, he did not pledge himself to do; the session was far advanced, and the House might not like to have a new subject to discuss; but he should be sorry if this business was suffered to pass without due consideration. The annihilation of the duchy would, to be sure, diminish the overgrown influence of the crown; and here was the insuperable objection; so that the real interests of the country were sacrificed to ministerial jobbing. His opinion was, that the House was at liberty now to bring in a bill for this purpose, and he believed that his majesty would readily accede to it. He wished that the House should proceeed in this business as became the representatives of the people, neither conciliating the favour, nor dreading the resentment of any individual, however illustrious for his rank or dignity.

The Bill was committed, and passed the Commons on the 17th.

Earl Fitzwilliam's Recal from the Government of Ireland.

May 19.

THIS day Mr. Jekyll moved, "That an humble address be presented to his majesty, that he will be graciously pleased to direct that there be laid before this House such part of the correspondence between his majesty's ministers and Earl Fitzwilliam, late Lord Lieutenant of Ireland, as relates to the motives and grounds of his lordship's recal from the government of the said kingdom, during a session, in which the two Houses of Parliament had voted their confidence in him, and their approbation of his conduct, and had granted supplies for the general exigences of the state, with a munificence unparalleled in the annals of that country." Mr. Jekyll introduced his motion by observing, that the House had an unquestionable right to examine the use made of the royal prerogatives, and to limit them if necessary. He reminded the minister of his solemn promise, that whenever the period came for investigation, he would undertake to prove that no blame was imputable to the ministers of this country. Mr. Jekyll vindicated the conduct of Earl Fitzwilliam from his letters. According to these he had acted in strict conformity to his instructions, which went to the emancipation of the Catholics, a condition without which he would not have undertaken the commission entrusted to him. After the motion had been seconded by Sir William Milner, Mr. Powys for the sake of getting rid of it moved the other orders of the day.

Mr. Fox said, he certainly could not, like his honourable and learned friend, who made the present motion, allege that he had no particular acquaintance or intimacy with the noble earl; he could not possibly deny, that, through the whole of his political life, he had a friendship for the noble earl, a friendship and an intimacy in private, and, until lately, a connection in political affairs; a friendship formed on such a basis that no difference of opinion upon any subject could entirely do away. He thought he had a right to say, and he expected to be believed when he said, that however great such friendship might be, it could not warp his political opinion, nor affect his political conduct; for, however pleasing the preservation of that friendship and connection might be, he had never so regarded them, as not to consider them inferior to the consideration of his public duty, with which he never had nor should place

any thing in competition; therefore, this good he hoped would result to him, that as he had been so unfortunate as to differ from that noble earl upon political topics, the public would have no doubt that he was actuated by pure principles in endeavouring to promote the inquiry which was now proposed.

This inquiry was called for upon two grounds which were distinct from each other: first, with regard to Earl Fitzwilliam personally; secondly, with regard to the interest which the public had in the inquiry. The first of these was certainly the least important; but even supposing that the first was the only ground, he was of opinion it would have been sufficient to call upon the justice of the House to accede to the present motion. He confessed he could not go the length of agreeing entirely with his honourable and learned friend, that a dismission by administration of any individual must be regarded as a personal censure; but he agreed entirely that in this case an attempt had been made by his majesty's ministers to convey some censure on the character of the noble earl. He allowed that the prerogative of the crown to dismiss its officers, was such as was not upon all occasions to be questioned; but when exercised in an extraordinary manner it became the duty of that House to inquire into that exercise; and although he did not allow that every dismissal conveyed a censure upon an individual dismissed, yet he could not go the length of saying, that no circumstances under which a person may be dismissed could convey a stigma. In this case, he believed, the common sense of mankind was, that ministers had, in the manner in which the noble earl had been recalled, attempted to cast a stigma upon his character. There must be one of two reasons for the dismissal of the noble earl; either that he exercised his power as Lord Lieutenant very improperly, or that he misunderstood his instructions. Some strong reason the public must expect to have occasioned his recal, since it was a circumstance attended by great public inconvenience, great public risque, and many very strong remonstrances. Earl Fitzwilliam told us that he was dismissed, not for misunderstanding his instructions, not for making improper use of his power, but for acting, as he had been taught to think, in the manner which was the most agreeable to his employers. He told us, that he had been dismissed for acting in direct conformity to the instructions he received from the cabinet of Great Britain. But, if what had been declared in the parliament of Ireland was true, he acted not only contrary to the intentions of those who employed him, but with great imprudence and impropriety. If this be true, he was guilty of a great crime, for imprudence in a character of such eminence was a great crime. Here, therefore, Earl Fitzwilliam and ministers were at issue. The

parties differed upon the fact, and it was right the public should know the real truth between them. Earl Fitzwilliam understood his recal as a stigma on his character. It was true, that the act itself might or might not be a stigma, because that depended on the circumstances that created it. But surely, in the common sense of the thing, the recal must be deemed a disapprobation expressed by the censure of his majesty's ministers with respect to the conduct of the noble earl, and that too of the most extraordinary kind.

Here Mr. Fox proceeded to read some parts of the letters of the noble earl upon the subject, wherein he states the understanding between him and the cabinet upon the question of the emancipation of the Catholics; and wherein he justifies himself for the part he had taken upon that subject. Ministers alleged, there was no such understanding between them. The question, then, for the House to inquire into was this: Was the statement of Earl Fitzwilliam true or false? To ascertain this was the object of the present motion: and it was an important object. The character of the noble Earl had been said to be unsullied. He hoped, he trusted, and he believed it was. But why was it so? It was from the impotence of his enemies, for, if their conduct had been right, the character of the noble earl, instead of being unsullied, must have been highly criminal, as they had given to the public more than insinuation upon that subject. It had been alleged also, that this motion tended to excite animosities; particularly by the honourable gentleman who moved the other orders of the day. He disclaimed all ideas of exciting animosity. Some of the parties in this dispute had been old friends, and while he was a friend of theirs, he saw them always as brothers. In their old friendship and connection he witnessed nothing but honour, confidence, friendship, and attachment. It was only after they had got into their new company, that they found discord, distrust, and animosity. Such was the fate of their new connections. Had the noble earl continued united with his old friends, he would not have been brought into his present disagreeable situation. But when he formed his new connections, he found he had got into a family compact, with whose principles it was impossible for him to agree. The consequence was, that the parties quarrelled, and bitterly accused each other. He remembered the time when it was fashionable to accuse certain gentlemen of having formed a political connection, which was supposed to be a species of aristocracy, hostile both to the prerogative of the crown and the interests of the people. He always thought that observation a ridiculous one; but if the chancellor of the exchequer had ever any real apprehensions of the danger of such a coalition,

he had acted wisely in the last step he had taken upon that subject; for by entering into a coalition himself with some branches of all parties, he had completely destroyed any danger from them all.

With respect to the other part of the subject, which he owned appeared to him to be the most important one, namely, the interest which the public had in this inquiry, he must observe, in answer to the question, For what purpose was this subject to be discussed? that the public had a right to complete information as to who the persons were whose conduct had created such public inconvenience. If mischief had been done, if danger had been occasioned, it was fitting the public should know to whom it was owing; it must be owing to his majesty's ministers or the noble earl. Nothing could clear up that point but the inquiry proposed in the motion now before the House. Then, certain gentlemen came with a covering to the whole subject; they objected to this inquiry because they did not know that the result might not be the removal of his majesty's ministers. Now, he owned it did not appear to him that if ministers should, upon this inquiry, deserve the censure of the House, they should therefore necessarily be removed. The honourable gentleman who spoke last had gone so far as to say, that even if it appeared to him that ministers had mis-conducted themselves, he should not vote for this enquiry, for the cause in which they were engaged was more important than even the union of the empire. Now, he wished the House to mark the end of this; for under such a principle no enquiry could ever take place: the cause in which we were engaged, according to this doctrine, must supersede every other subject. Let the public know that this was the sort of answer that was to be given to all questions, when the conduct of his majesty's ministers was proposed to be discussed. If this was to be really the practice of that House, he thought it was but fair for the House at once to say so, instead of betraying their constituents, by pretending to hold a power of inquiring into any circumstances relative to the conduct of the servants of the crown. It would be better and more honest, at once to say, that the functions of parliament should be suspended until the end of the war, than to sit there day after day, to act mockery after mockery, and to pretend to have any idea of enquiring into any thing, the possible result of which might be the removal of the king's ministers.

Much had been said of the dangers of such inquiries as these. He was of opinion that the greatest of all dangers that could possibly threaten a free state, was that of ministers being enabled to go on, without censure, with any plan which their ambition, folly, or madness might suggest; this was the danger

which threatened this country; it was from this we had suffered, were now suffering, and he feared were still doomed to suffer much calamity. He would say, that the imagination of man could not conceive any thing more injurious to the true interests of this country, than that of refusing an inquiry into the conduct of the ministers of the crown, merely because such inquiry might lead to their removal. It was this, as he had before stated, that had brought on all our disasters. He would ask the House to look at the situation of this country in the year 1792, and to compare it with our situation now, and then to tell him whether they thought it possible for distress to have been more dreadfully accumulated upon us by any combination of misfortunes. Let us, therefore, reflect upon our situation, and let the House adopt the old practice of a good House of Commons, entertain its constitutional jealousy, and institute inquiries independent of all considerations as to the result leading to a removal of any administration. Here Mr. Fox compared the dismissal of Earl Fitzwilliam with the resignation and dismission of Lord Carlisle, Lord Temple, Lord Northington, and others, and pointed out the difference between this and all of them. In the cases of all those noble persons, the dismissals and resignations arose in consequence of the change of administration, and therefore, they differed entirely from the present.

Some persons might, perhaps, object to this motion, as the very words of it conveyed an idea, that it was dangerous to suffer any inquiry whatever to take place, as it stated circumstances, which went to infer that Ireland was in danger. The conduct of Earl Fitzwilliam was certainly very dangerous. But to whom was it dangerous? To the people of Ireland? By no means. It was dangerous only to the few individuals whose plan it was to govern Ireland by corruption: it was dangerous to those who held the interest and the sentiments of the people of that country in contempt, and therefore the cause of the removal of the noble earl upon that principle was easily perceived. The noble earl was, he believed, the only person who had the good fortune to obtain the applauses of all the catholics and dissenters of Ireland; the only person who, since the accession of the house of Brunswick, had been able to unite all parties in that kingdom; and that, perhaps, to his majesty's present advisers, was a sufficient reason for his recal. Here Mr. Fox entered into a short history of facts with regard to the administration of Earl Fitzwilliam in Ireland; as also of the applications which were made to the throne by delegates from that country on behalf of the catholics, and maintained the right which the House of Commons of Great Britain had to institute inquiries into public matters

which related to the interests of both. He was of opinion, that what had been allowed to the catholics in that country and in this, so far as it went, was highly proper; but that while there was any distinction made between them and the protestants with regard to political rights, they would still continue to have claims upon the justice of the legislature. His opinion, indeed, was well known to those who had done him the honour to attend to him; it was, that at all times, in all countries, and upon all occasions, there should be no distinctions in political rights, on account of religious opinions. He thought that the prejudices of the people were, generally speaking, worthy of attention. But when prejudices bent against the general principles of toleration, he did not think them entlitled to much respect. What was the case in Ireland when Earl Fitzwilliam became lord lieutenant? When he arrived in Ireland, he found that the protestants, so far from having any alarm at the idea of the emancipation of the catholics, all wished for it: when his recal was known to be about to take place, there was only one place in the whole kingdom where alarm was affected to be felt, in consequence of the plan proposed in favour of the catholics; and even there the vote upon that occasion was carried by a small majority, and therefore it was demonstrable, that the almost unanimous wish of the people of Ireland was for the entire emancipation of the catholics. Nor was this wonderful, for the people of Ireland had sense enough to distinguish between the effects of slavery and emancipation.

It was said that no man could wish to see, under the present circumstances, Earl Fitzwilliam restored to the government of Ireland. That the noble earl, considering his recent experience, would be very willing again to hazard his comfort, his character, his reputation, under the controul of those who had already betrayed him, was extremely doubtful; but, from what he knew of the disposition of that nobleman, he believed he would be as ready to sacrifice every thing that related to his own ease for the public good, as any man in the kingdom; but yet he thought, after what had already happened, he must hesitate a good deal before he would say, "I am ready to go to Ireland during the continuance of the present administration." Such an event would certainly be desirable, for the noble earl was popular throughout the whole kingdom, as was evident from the addresses of all considerable towns, from Belfast to Cork, and also from what had passed in the city of Dublin. To please every man was impossible, but Earl Fitzwilliam had pleased the House of Lords of Ireland, and the House of Commons, who had granted, during his administration, supplies that were unparalleled in extent.

He had pleased the catholics of Ireland and the protestants of Ireland. He had appointed a learned, reverend, and pious prelate (to whose character Mr. Fox bore testimony of esteem in the most handsome terms) to the primacy of the country in the most disinterested manner. The noble earl, in short, had pleased the mass of the people in Ireland, but he had displeased a few individuals, Mr. Beresford and two or three more. Thus, when the people of Ireland were put into one scale, and Mr. Beresford and a few individuals into the other —the people, with all their weight, flew up, and the interest of Mr. Beresford preponderated.

When this subject had been mentioned by him on a former occasion, and when he had given it as his opinion that an inquiry should be instituted, the chancellor of the exchequer asserted that his majesty's ministers had done nothing in the affairs of Ireland for which blame was imputable to them, and that it would so appear when an inquiry should take place. This, Mr. Fox said, convinced him the moment he heard it uttered, that no inquiry would ever be consented to on the part of his majesty's ministers; for it was their constant practice, whenever charged boldly, to assert they were not guilty, that they were ready to prove it whenever an inquiry should take place, and when afterwards that inquiry was proposed, to refuse to grant it. Of this they gave a specimen, when the secretary to the treasury (Mr. Rose) had been called upon to account for his conduct, in a case which had been investigated in a court of justice. He therefore would continue to say, that if this inquiry was entered into, to use a phrase which had been applied by a right honourable gentleman (Mr. Windham) upon another occasion, the minister and his troops would be found to be covered with nothing but filthy dowlas. He owned it appeared to him impossible, upon any principle of integrity, to refuse entering into this inquiry. Facts were alleged on one side, and, if not contradicted, were certainly not admitted on the other; and therefore, as the subject was important, that was sufficient ground for an inquiry. Earl Fitzwilliam alleged, that administration had deceived him; he said so in plain words. There might be some passion mixed with his narrative—how could it be otherwise? Where was the man, who, under such circumstances, would be totally free from passion? But, after making all allowances upon that head, it must be admitted, that the facts alleged by the noble earl, and not admitted by his opponents, were of such a nature as to demand inquiry in that House. The noble earl alleged, that in reality his dismissal of Mr. Beresford was not the cause of his disagreement with his majesty's ministers; that the real cause of his recal was, the determination of

the chancellor of the exchequer to ruin his reputation as a politician, and, with it, to ruin the reputation, and finally to get rid of, the whole of his new federates, whose character might stand in the way of any of his measures.

Mr. Fox said, he did not pretend to say what were the motives of the minister which led to the conduct he observed upon that occasion. He should not enter into a minute detail of the facts; but this he would say, that it was essential for the public to know the whole truth upon the subject. He had heard, as had been alleged that night by his learned friend who made the present motion, that, in another place, there had been a very fair and frank declaration, that upon application being made to the chancellor of the exchequer, to know his sentiments on the conduct of Earl Fitzwilliam, he explicitly disavowed the whole of it. Earl Fitzwilliam, on the contrary, insisted, that with that very minister he had conversed upon that subject, that he had communicated his sentiments to that minister, had stated his intentions to him, all of which he expressly approved. Upon such a difference of assertion, he would ask that House, was it or was it not fitting that they should inquire, and be satisfied how the facts stood? He might think that the removal of Mr. Beresford was not an event in itself of great importance; but when such a man as Mr. Beresford was put in competition with the united wishes and the common interests of the whole people of Ireland, Mr. Beresford rose into great and striking importance, and in that view the circumstances became worthy of the inquiry of that House.

Here Mr. Fox took notice of some disputes which commenced in October last, between the two parties of administration; he spoke, he said, from public rumour only, having no specific knowledge on the fact. From that rumour he understood a plan was in agitation to sever the whole of the new administration from the old, and he did not think there were any persons qualified to form an opinion upon the subject, who doubted the truth of that rumour. He certainly lamented that any of his old friends had joined the present administration, or had formed any connection with them; but he was ready still to regard their characters with tenderness, and therefore he wished to support every inquiry that was necessary to vindicate their honour. That Earl Fitzwilliam should have pursued the measures he did in Ireland, was perfectly natural. Long before that nobleman became the lord lieutenant of that country, he had ceased to converse with him upon political subjects, because he knew they differed, but yet he was perfectly satisfied of the course which the noble earl would take during his administration in Ireland. It was

as natural to expect that he should have pursued the plan he did, as if he (Mr. Fox) were to be minister to-morrow it would be natural to expect he would make some attempt to negotiate with France. It was said when Earl Fitzwilliam was appointed Lord Lieutenant of Ireland, there would be an end of the old system of government, of the influence of the Beresfords, and there would of course be a complete emancipation of the catholics. Therefore, it was extraordinary to affect surprise at the part which Earl Fitzwilliam took upon that occasion. There was something extremely singular in the manner in which some gentlemen affected to say that the recal of Earl Fitzwilliam from the office of Lord Lieutenant of Ireland was no insinuation by ministers against his character; and yet that these gentlemen should insist upon it that the dismissal of Mr. Beresford by the noble earl was a direct attack upon his character. Now, he wished to know which of the two events was the more important? Had Mr. Beresford been dismissed for ever, did the House believe that there would have been an address and remonstrance from the catholics in consequence of that event? The truth was, that facts spoke for themselves too plainly in this case. Earl Fitzwilliam was popular in Ireland; but popularity with the people was one thing — popularity in the king's cabinet another.

After having exhausted all their shifts upon this subject, the king's ministers found out by accident, that to give complete emancipation to the catholics was a thing dangerous in some degree to the king's coronation oath. This was a sort of objection which it was very difficult to state gravely; and when he saw men of sense attempting to make use of it as an argument, he was led to conclude that it was adopted merely as an evasion; for surely, when men capable of forming a just opinion upon things, assigned a reason which could not be stated to children without exciting their ridicule, the real reason must be such as it did not suit their characters to disclose. The learned and the pious prelate to whom he had already alluded, (Archbishop Newcombe,) and whose province it was to guard against any dangerous innovation in religion, had been able to discover none of this alarming hostility to the king's coronation oath, nor had any of the people of Ireland or of England in the measure of the catholic emancipation. But the chancellor of the exchequer and the secretary of state, in the plenitude of their piety, and their zeal for the due observance of religious rites and ceremonies, forsooth, had lately made this discovery!

The next point to be considered, was the opinion which the mass of the people of a country entertained of the government under which they lived. He knew there were some who

affected to despise that idea; but they were weak, shallow, miserable politicians. He knew that Ireland was in that respect in a very dangerous condition. It was essential to the welfare of a country that the common people should have a veneration for its laws. This was by no means the case in Ireland; and why? Because the law was there regarded as an instrument of oppression, and as having been made upon a principle of pitiful monopoly, and not for the general protection, welfare, and happiness of the mass of the people. It was too common there for the lower class of the people to resist the execution of the laws. Theft itself was not regarded by them with the same abhorrence as with us. Indeed, if we would have the mass of mankind regard our laws with veneration, we must make them feel the benefits of them; shew them that they are equal, and alike administered to all without distinction. It was this principle which made the laws of England so much the object of our admiration; it was this which made the people parties, as it were, in the execution of the laws; for when any one infringed them, a prosecution against him was generally a popular measure. What he said with regard to laws, was also applicable to religion. He would have religious toleration as equal as the laws of England, and that all men should be estimated in society by their morals, and not by the mode of religious worship. To root out prejudices altogether was not a thing to be accomplished at once; but it was a thing to be attempted, and every step towards it would be an advantage to the country. Such was the plan of Earl Fitzwilliam, which, instead of being aided, as it ought, was thwarted by the measures of our ministers. They had renewed the old plan of corruption, which had made the government of that country odious; this was too well authenticated to be doubted: it had been stated publicly in the House of Commons there, by a gentleman whose talents were highly eminent, and for whom, notwithstanding some little differences upon political subjects, he had a high esteem, (he meant Mr. Grattan); that gentleman had stated that peerages in Ireland, instead of being a matter of honour, were an article of sale: that they were purchased from the corruption of seats in the House of Commons. He had heard much of the influence of the crown in this country. He believed it to be as great as it was ever stated to be. But in Ireland corruption had been publicly avowed and acted upon. Such a government must certainly be in a very decrepid state, and therefore any plan for the relief of the people was highly necessary. What, then, were we to think of ministers, who held out an encouragement at one time for such a plan, and afterwards

recalled a lord lieutenant for attempting to carry it into execution?

The question, therefore, rested upon the cause and the manner of the recal of Earl Fitzwilliam; and upon that subject it was impossible fairly to pass by the conduct of his majesty's ministers, without inquiry. He had heard much said of the danger of investigating this business: danger, he admitted, there was, not from an inquiry, but from abstaining from investigation. He had heard also a good deal said about the honour of his majesty's ministers. Upon that topic he was not concerned; they would defend their own honour, and deal with it as they might think best. Earl Fitzwilliam desired only an investigation of facts; in which, he said, his honour was concerned, and also the interest of the nation; and therefore he thought it imported the House to institute the inquiry. He knew, indeed, that if Earl Fitzwilliam had adopted the plan which others had set for him, he might long since have been very easy; he might have had an opportunity of accepting a good place; ministers would have said, "It is true you have uttered some hard sentences against us, but now we are good friends, every thing is understood between us." But the truth was, that Earl Fitzwilliam did not enter into what was called the spirit of the present administration, that was to say, he did not sacrifice his character for the purpose of putting himself upon an equality with them. He had, thank God, not entered into that spirit: he said, thank God! for no political difference of opinion ever had, or ever should, destroy his friendship for that noble person. Earl Fitzwilliam had acted honourably; he called for inquiry; he stated his claim to it; he had a right to demand it of the justice of that House; his honour was in their hands, and therefore they ought to grant him an inquiry. Should the House refuse it, Mr. Fox declared he knew not, among the various names that had been given to various parliaments, what name to give to the present parliament; it certainly was not an inquisitive parliament. They had seen large subsidies granted, and they had not inquired into the services performed; they had known alliances entered into, and our allies afterwards desert us, and they had not inquired for what reason; they had seen our armies defeated, and they had not inquired into the causes of such failures; they had seen this empire nearly ruined by the conduct of the king's ministers, and they had continued their confidence in such ministers. It was for want of inquiry we had been brought into our present calamitous situation. Knowing this, he must leave it to the wisdom of the House to reflect on the consequences of continuing to refuse inquiries into subjects in which the prosperity and

happiness of this and the sister kingdom were so deeply involved.

The motion was also supported by Mr. Grey and Lord Milton, and opposed by Mr. Pitt, Mr. Orde, Mr. Douglas, and Mr. Serjeant Adair. The House then divided on the question, that the other orders of the day be now read:

	Tellers.			*Tellers.*	
YEAS	Mr. Powys Mr. J. Smyth	188.	NOES	Mr. Jekyll Mr. Whitbread	49.

Mr. Jekyll's motion was consequently rejected.

MR. WILBERFORCE'S MOTION RESPECTING PEACE WITH FRANCE.

May 27.

THIS day Mr. Wilberforce moved, "That it is the opinion of this House, that the present circumstances of France ought not to preclude the government of this country from entertaining proposals for a general pacification, and that it is for the interest of Great Britain to make peace with France, provided it can be effected on fair terms, and in an honourable manner." Mr. Wilberforce's speech upon this occasion was warmly replied to by Mr. Windham, who contended, that it was nugatory to talk of the willingness of the French government to listen to overtures from this country, after the explicit manner in which they had determined to reduce its power and influence throughout Europe. France was at the present hour in a state of universal agitation: jealousies and mistrusts of each other distracted its rulers, and irritation at their conduct pervaded the mass of the people, who had never been so prone to shake off the usurpations of their governors, as they appeared of late. Motions to treat for peace were, he said, totally unseasonable for those reasons: they tended to dishearten the public from the prosecution of a war which promised to terminate so favourably to the cause of this country and its allies: they promoted disaffection, and placed government in an odious light. He would therefore oppose the present motion, by moving the other orders of the day.

Mr. Fox began by observing, that the right honourable gentleman (Mr. Windham) had introduced so much personality into his speech that it was not easy to answer him. He did not think that he had behaved perfectly ingenuous towards him; and he was of opinion, that the remark that had been made, that the motion being supported by him, and those

with whom he acted, was a *primâ facie* argument against it, did not appear to him to be quite candid. He should have thought that it would have been more fair to have left the subject to the common course of debate, and he owned that there did appear some degree of cunning in reducing himself and his friends to the necessity of speaking, when it had been asserted, that their support could not be beneficial to the motion. Extraordinary as the treatment had been that he had experienced of late years, he confessed that he had never been so surprised as at that part of the right honourable gentleman's speech which was more immediately personal. He had said to the honourable mover of the present question, "What, will you differ with him with whom you have always agreed?" Had the right honourable gentleman, in putting this question, forgotten some recent transactions? Nay, he had gone further, and had said, "Will you be so bold as to agree with the persons opposite to you when you look round on the persons near you?" Now, there was something so singular in this, that he could not avoid being extremely astonished at it. He observed, however, that in putting these questions the right honourable gentleman had looked straight forward, as if he had been afraid to look towards his colleagues. Of the majority that the right honourable gentleman expected would support his motion, how many members were there, he would ask, with whom that right honourable gentleman had formerly agreed on great political topics? Why was he so destitute of fair reciprocity as to be unwilling to allow the same liberty to one side of the House as to the other? The right honourable gentleman had then gone on to ask, for what purpose the present motion had been made? And whether the honourable mover expected to carry the House with him? With respect to the latter question, he believed that the honourable mover entertained no such expectation; but the purpose of the motion was to discuss that, which ought frequently to be discussed during a period of war; and to shew the people of this country that there were persons in parliament ready to defend the rights of the people, and to avert the calamities with which the nation was threatened by an obstinate perseverance in a disastrous and hopeless system. Ministers, it was now urged, had possessed a better knowledge of La Vendée, than he did, and a most useless piece of knowledge, he must confess it had been to them. Was it expected, it had been asked, to convince those ministers? To attempt to convince those whom nothing seemed to convince, was a task, in his opinion, which no man would be handy enough to undertake. No one who knew their temper,

would suspect that they would become suicides of their places from any principle of conviction; —

For Plato's fancies, what care I?
I hope you do not think I die
For Plato's fancies in the play,
Or any thing that he can say.

The House was again called upon to repose confidence in ministers, in the third year of the war, when ministers had completely failed in their promised protection of Holland, of the West Indies, of the friends of royalty in France — in every profession or promise upon which they had demanded confidence. They talked of the glory of our arms under their direction. He wondered they had not read our history, and taken the trouble of comparing any period of it with the losses, disasters, and retreats of the last campaign — retreats not imputable to our officers or soldiers, but to a miserable system which rendered their skill unavailing, and their valour of no effect. Ministers still talked of discontents in France, and appealed to what had happened in La Vendée, Marseilles, Lyons, and Toulon. As far as appeared, the discontents in the three last-mentioned places were the consequence of one party in the convention being overpowered by another; but if they were not, what advantage had ministers derived from them? They got possession of Toulon, which they were soon after compelled to abandon; Marseilles, Lyons, and, last of all, La Vendée, were compelled, or induced, to submit to the Convention. If they meant to adduce, as an argument in their favour, every opportunity of which they had made no advantage, it was impossible to say where they would stop. It had been said by the right honourable gentleman, that the opposers of the war asserted the discontent in La Vendée to be trifling. He had said no such thing. He had taken the subject on the minister's own shewing. He had said, that if discontent existed, the ministers had proved that they could make nothing of it, and that therefore he had a right to take it for granted that no discontent did exist. But, were the House to hear ministers confess, at length, that the insurrection in La Vendée was formidable? Where was the ancient spirit of the House, if they suffered ministers to acknowledge that they knew of the extent of the discontent in La Vendée, and that they had not made use of it? He wished the right honourable gentleman, when he talked of the motion as tending to remove ministers from their situations, had recollected the debates in that House about Oczakow, of which the right honourable gentleman might say, "*Quorum pars magna fui.*" Had the right honourable gentleman been always so alarmed at such an idea?

And yet he had said with some asperity to the honourable mover: "You approve of the abilities, and have a high opinion of the judgment, of the present ministers, and yet you wish to take the government from them." With this subject he had nothing to do; but then it had been asked, "Do you think the minister will consent to stay in office after his measures have been abandoned?" The House from this might be tempted to think that measures had always been the object of the minister's care, and that he had been totally indifferent to place and power. Was this the case? Had the House no example in the Irish propositions, or in the more recent case of Oczakow? Did not a minority make a minister abandon a measure to which a majority acceded? This, therefore, was sufficient to shew that it was impossible to drive the minister out of his measures without driving him from his place. The present question had not yet been disposed of, and the motion of the right honourable gentleman for the other orders of the day, seemed to say that the House ought never to dispose of it.

At the commencement of the war, the argument was, that if we did not engage in it, other powers would withdraw, and we should have to sustain the whole force of France alone. This argument was now destroyed as far as Prussia was concerned, and nearly so with respect to the Emperor of Germany. Ministers thought proper to pass by the emperor's rescript to the diet; but did they mean to contend that his declaration of his being ready to enter into negociations with the French republic, was such a declaration as his ministers would have made, such a declaration as a British minister would make to parliament, while the direct contrary was meant? If the emperor was ready to negociate with the French republic, what could be our objection to negociate? On looking to the rescript, the House would see that the emperor was willing to treat, not with such a government as was capable of preserving the accustomed relations of peace and amity, but with the republic of France. Was this a fair rescript? Or did it resemble some declarations made by British ministers to the parliament to deceive and delude them? Was the rescript considered only as acting in the true spirit of the alliance? Of the candour and humanity of kings and princes he had heard much — not in his opinion very discreetly — said; but he hoped that the rescript was not issued for the purposes to which he had alluded. Did there remain now, he would ask, one of those objections that had been formerly urged, and urged with such triumph? Not one. But Prussia, it had been said, had stolen out of the coalition. Of the court of Berlin he was not certainly in-

clined to be the panegyrist; but the least objectionable part of the conduct of that court was, in his opinion, the conclusion of a treaty of peace with the French republic. But was it fair and manly in a British minister to talk of Tuscany stealing out of the alliance? Was not Tuscany neutral at the commencement of the war? Had not her neutrality been approved by the emperor and Great Britain, and did not the grand duke hold his dukedom by his neutrality? Had not this country acted with the most monstrous injustice towards him? Was it, therefore, decent to talk of his slinking out of the war? — a mode of conduct that had made him the darling of his subjects, and had produced the most beneficial consequences to him. But were these the only powers that had or would make peace? Had not the Landgrave of Hesse and the Elector of Saxony made peace? Whether the King of Naples had, he knew not; but of this he was certain — that he would as soon as he was able. Were not these strong arguments for the recognition of the republic of France? It had already been proved, that none of those formalities had been required of acknowledging the republic on the principles of liberty and equality. That the French were desirous of peace, was generally believed; that they had no objection to treat with a monarchy had, it was understood, been declared to Sir Frederick Eden; but what was more important than any declaration was, that they had actually concluded a treaty with a monarchy, and with a monarchy to the form of which they could not be supposed to be very partial.

It had been asked, what Holland had gained by her disposition to negociate early in the war? What, he would ask, had Holland gained by the protection of the allies? The spectacle of the retreat of the British troops through her provinces, and the necessity of being obliged to treat with a French army in possession of her country. Of the conquests which we had made in the West Indies, nothing now remained but a single post in St. Domingo, another in St. Lucia, and the island of Martinico. It was for the House to determine, whether these precarious acquisitions were worth the hazard to which we had put all our other possessions in that quarter. With respect to the recent intelligence of insurrections in Paris, it ought to have no effect on the decision of that House. The fall of Robespierre, the rise of Tallien, the massacre of the Girondists, and the triumph of their successors only led to this salutary lesson, that the internal schisms of France bore no relation to their foreign contests. The system of terror was destroyed on the 27th of July; and mark what had been the progress of the French arms since that period. Were not their successes in every

quarter more than sufficient to counterbalance any hopes to be conceived from a late insurrection in Paris? Ought not what we had seen to teach us, that unstable and convulsed as the French government was within, its power of exertion outwards remained, and that whether terror triumphed over moderation, or moderation over terror, we had nothing to gain by the change?

He was accused of having approved of the French revolution, as if, by necessary consequence, he had approved of the cruelties of which it had been made the pretext. He approved of overturning the despotism of the Bourbons, which had long been the oppression of France and the disquiet of Europe. The accursed confederacy of despots, for by no other name could it ever pass his lips, had given birth in the first instance to all the suspicion and consequent massacres which had taken place. Six years had now elapsed since the memorable æra of the French revolution. He had, in the first instance, given his commendation to that event, which had overthrown the tyranny of the Bourbons. That tyranny had stifled the industry, and suppressed all the energies of a great nation. He was therefore entitled to speak of its subversion as of a glorious event. But his approbation of French principles thus far, did not include his sanction of French acts. He approved of the resistance made by the parliament of 1645 to Charles I.; of the conduct even of Cromwell in the first instance; but although it was impossible to compare that great man with the men who had raised themselves to power in the French revolution, was it to be inferred that he approved of Cromwell's usurpation any more than of their cruelties? He had never said that the French, if left to themselves, would destroy one another; but this he had said, that if there was any prospect of restoring royalty in France, (whether or not that was now an advisable thing he would not then argue,) it must be when the French were left to decide for themselves. What was the period in which parties in France were abandoning themselves to domestic contests? Was it when the Duke of Brunswick was in the plains of Champagne? Was it when the allies were in the plains of Cambray? No: it was when every foreign enemy was removed to a great distance, and their arms were triumphant on every part of their frontier. When the allies talked of giving them a constitution, royalty had the odium of being supposed to aid the foreign enemy; when they had no foreign enemy, that would be done away. We were not to give them a constitution, but to restore their old constitution — in other words, their old despotism, the very thing they detested. To attempt giving to any country a constitution, was detest-

able; every country had a right to frame its own. We were not making war for any interests of our own, it was pompously asserted, but on motives of beneficence and justice, for the interests of Europe. There might be chivalry in succouring those who called for succour, but the chivalry of succouring those who said they did not want it, was madness. Who called upon us to continue the war? Did Prussia, or any other of our allies? No. But we had got a new ally, the Empress of Russia. She, however, was one of our earliest allies in this business, and instead of her not doing any thing in consequence of a new alliance the novelty would be, her doing any thing in consequence of the old. If he were her advocate, as he had once been called, he should say that she had contributed more than her share to the purposes of the grand confederacy. She had completely extinguished jacobinism in Poland, which, but for the arms of Great Britain, she could not have done; and this was all she would do.

Instead of appearing in an honourable, we exhibited ourselves in an odious point of view, by continuing the war. France was inclined to peace; the allies were inclined to peace; neutral powers wished for the restoration of peace; and Great Britain alone was shaking the torch of discord. It was said to be a boldness on the part of the honourable gentleman who made this motion, to take the reins of government from the hands of ministers. It was, in his opinion, a more daring boldness in those ministers, who, for the purpose of suppressing a few speculative opinions, would deluge all Europe with blood, involve the whole world in war, and extinguish the social happiness of the human race. The right honourable gentleman had said, that none but jacobins cried out for peace. The fact was widely different. The industrious manufacturer, overloaded with taxes, cried aloud for peace. The jacobins, as those men were termed who wished for a radical reform, looked on ministers as their best friends, and relied only on a continuance of the war, for a full attainment of their favourite object. Such jacobins were not numerous, but even in the city which the right honourable gentleman represented (Norwich), as many as there were refused to sign a petition for peace, because they said that the continuance of the war and of the present ministers in office, tended most effectually to promote their views. But supposing the contrary to be the fact, and that every disaffected person wished for peace, was that a reason why this country should continue to make war? Was it to be continued, he would ask, in another point of view, — in full reliance on the judgment of ministers, on a confidence to be given to men,

whose conduct, in his opinion, was the weakest and the most contemptible that had ever disgraced a falling country.

The right honourable gentleman had alluded to America. Did not gentlemen see similar features in these two unfortunate contests? There was a loyal party in America, as well as La Vendée. The loyalists and the royalists, Mr. Fox observed, tallied even to the minuest point, and hence hopes had been fostered by ministers. In the last year of that war, it was debated, whether or not the American republic should be recognized; and it was urged, that if this were done, the sun of Britain was set for ever. Was not all this conduct the same on both questions, the American war and the present war? But suppose our present objects, if fixed objects we had, to be fully attained. Suppose Louis XVII. seated on the throne, and the emigrants restored — was it to be expected that France would be quiet? No. The smallest knowledge of history forbad such a supposition. Could we, under the restored race of the Bourbons, expect a better faith? No. The present government of France, however unstable it might seem, offered more security from the publicity of its councils, than could be expected from the dark secrecy of any despotism. In this it bore a near relation to the British constitution; and hence a reason arose in his mind for liking it. At all events, he contended, that there was as much cause to expect fidelity from the French as from any of the princes of Europe. The terms of the Austrian convention, he observed, were to be debated the next day, and therefore he forbore saying any thing on that head at present; but when the emperor declared his readiness to negotiate with France, ought we not to hesitate? What evil could result from our recognition of the republic, now that it had been recognized by the emperor? Were we to refuse merely because Holland was at this time in the hands of the French republic? Those who had used this argument with respect to the Netherlands, should say, when that peace was to be expected, which must be preceded by the re-conquest of those countries. He would quote the sentiment of Mr. Burke in the case of America — "Try peace and conciliation, and if that fail, then pursue war." The evils of war we had felt; the evils of peace were only matter of some men's speculation. Was it fit, then, to advance speculation against experience?

Mr. Fox concluded an able speech by saying, that he felt indebted to the honourable gentleman who had introduced this motion, because the oftener the subject was discussed, the more he was convinced the war would be disapproved. He thought that peace and conciliation could never be suggested

too frequently. If these failed, war was still within our reach, but the latter might possibly be continued until the proffer of conciliation was made in vain.

The question being put on Mr. Windham's motion, "That the other orders of the day be now read," the House divided:

	Tellers.			Tellers.	
YEAS	Mr. John Smyth Mr. Jenkinson	201.	NOES	Mr. Bankes Mr. Jekyll	86.

Mr. Wilberforce's motion was consequently rejected.

LOAN TO THE EMPEROR.

May 28.

IN a committee of the whole House, to consider of the convention between his majesty and the emperor, signed at Vienna, May 4th, 1795, Mr. Pitt moved, "That it is the opinion of this committee, that provision be made for guaranteeing the payment of the dividends on a loan of four millions six hundred thousand pounds, on account of the Emperor of Germany, conformably to the said convention."

Mr. Fox said, that when this business was before the House on a former day, they were told that four millions were to be granted to the emperor, on condition of his providing 200,000 men for the common cause, as it was termed, but that if he should provide a larger army, there should be no objection on our part to granting him the sum of six millions; and it was added, that the emperor had received some of this money in part of the whole loan; and at that time it was not known how the proposals would be accepted at Vienna. The fact now was, that he was to receive four millions six hundred thousand pounds over and above the sums which had been already advanced to him. What was the consequence of this? Did the emperor undertake to furnish more than the 200,000 men? No such thing; and it now appeared that the emperor had never agreed to what had been stated to the House by the minister. Perhaps it was not criminal on the part of our government to advance the money which the emperor had actually received: but he was sure that the House of Commons ought to have more and better information than the minister had been pleased to give them, before they agreed to a proposition which was both dangerous and

alarming. There was a rumour that this faithful ally of ours had acted in a manner not very consistent with the character which had been given him; if that rumour was true, we were about to proceed upon very important business indeed, without the least security that we should not be deceived. It had been said, that when the British and allied armies were in a situation of the greatest peril, and when a delay of only twenty-four hours of the Austrians would have been essential, that delay had been refused by his imperial majesty; and the silence of the minister upon that subject made Mr. Fox think that this rumour was well founded. We had continued to pay the emperor 100,000*l.* a month after he had deserted us. When an inquiry was proposed to be made into this business, we were told there were some difficulties in the way of an explanation. He would ask, was that an answer to a House of Commons called upon to vote away by millions the public money? It was objected to by many, and by him particularly, on the discussion of the Prussian treaty, that we should pay our money in such large sums without having an opportunity of knowing correctly how former engagements had been fulfilled. The House were told they could not have any precise information, because the regular returns of the operations of the armies had not been made. This was, in his opinion, a scandalous omission. He disapproved of the Prussian treaty; but that treaty contained an article, by which we were entitled to call for an account, but which we never had, because no inquiry had been instituted. But in this treaty there was no such power in point of fact, and yet we had been careful to preserve the appearance of it. If, in one month, the emperor should fail in the performance of his engagement, we might have correct information, but we had no means to prevent that failure. It had been stated, that we were not answerable for the whole amount of the loan, if the emperor should fail; that we were answerable only for the dividends from time to time as the failure should occur. He really thought this curious. He could not help smiling at it, although he had heard that ignorance was apt to smile. He was really too stupid to see the distinction between being answerable for the whole sum, and paying for ever the dividends that shall become due upon it. The distinction between that and paying a sum of money he did not comprehend. He wished to know upon what our security rested with regard to this loan. He should be answered, no doubt, on the punctuality of the payments of the emperor: now, upon this he wished for some explanation before the House proceeded farther. There were some persons, and he confessed he was one of the number, who had doubts concerning this punc-

tuality, as well as respecting the fulfilment of the military engagements of his imperial majesty; and these were points which required a good deal of explanation. Here Mr. Fox read an extract of a letter from a person at Vienna to his correspondent here, stating that the court of Vienna had come to a resolution not to pay dividends of old loans to any persons resident in France; and to another resolution, not to pay any persons who had not emigrated from France; that was to say, the emperor would not pay except where emigration was proved. Sums of money were due to a religious order in France, and the emperor said he would not pay them unless they proved they had emigrated from France: and by the second resolution, he said he would not pay them, because they happened to be in the Austrian Netherlands, at the time the French over-ran that quarter. In answer to the minister's assertion, that we had made good use of our credit, by the terms of the loan, he observed there were two arguments against such a mode of proceeding: first, it was not honourable for the British House of Commons to sell the interest of the public credit; and, secondly, if it was to be sold, it should be sold for what it was really worth. As to the idea that the emperor intended to keep his engagements, he hoped he did; but then the House ought to inquire whether he was able as well as willing.

It was not the time now to go at large into the general question of the policy of this loan. But there was another point extremely important indeed, and which ought to be attended to. He saw in this convention no stipulation that the emperor should not make a separate peace. On the contrary, it was carefully avoided; and it was to be observed, that this convention was signed at Vienna at the very time that the emperor published the rescript to the diet of Ratisbon, the substance of which was pretty well known. The minister insisted that this matter was discussed yesterday, and the decision of the House made it unnecessary to discuss that business again. Now, he saw it in the direct contrary view. What was the question last night? It was this — Whether it was wise and judicious for one of the confederates against France, viz. Great Britain, to negociate with France at this time? What was the determination of the House upon that subject? It was this — That it would be unwise in us to do any thing that could tend to weaken that confederacy: a decision which he by no means applauded, but such was the decision. And yet it had been that moment proposed, by the resolution before the Committee, that we should embark our credit with one of the members of that confederacy, who had done the very thing which the decision of the House

last night pronounced to be so dangerous! He thought the rescript authentic. Ministers might think it was not authentic. He wished to know, whether it was authentic or not. If it was, we were going to embark with an ally who, according to the language of the minister, and the determination of the House last night, was going to annul the whole plan of our future operations, and for which we were now to vote away millions of the public money, by weakening the confederacy and strengthening the enemy. If there was a doubt as to the authenticity of this rescript, (and he confessed, from what he heard the minister say last night, he feared there was a doubt,) it was a very alarming thing, and ought to be explained immediately: for the emperor had given us no intelligence upon the subject. He certainly had had time enough, for the subject of this loan had been under his consideration for some months. If the emperor pursued the principle of this rescript, and endeavoured to make peace, it might still be said that peace might not be had immediately. He thought so too: but then, if France was, as ministers stated it to be, at its last gasp, that wish for peace could not be long delayed. Under these impressions, he hoped that the House, accustomed even as they had been to the insincerity and falsehood of ministers, throughout the whole progress of this war, would see the necessity of an inquiry into the conduct of these our faithful allies. If peace should be soon concluded between the French and the emperor, he wished the House to reflect that we should have given the whole of four millions six hundred thousand pounds absolutely for nothing. There had been something said upon the distinction between the character of the emperor as such, and that of King of Hungary and Bohemia; that, as emperor, he might agree to a peace with France, but as king and archduke, he might pursue the war with vigour. This was perfectly ridiculous, for whenever peace was agreed upon, one of the leading articles of the treaty must be, that he should not suffer troops destined against France to pass through any of his dominions, and therefore he would forbid such troops from going through Bohemia against France. But he was afraid that all the hopes of the majority who supported this war, were now in the insincerity of the emperor, as to this rescript. Exclusive of the infamy of such a principle, he advised the House to be cautious in trusting to such a security, for he knew of no real security in the conduct of any man, if that conduct was not founded on the principles of fair dealing. What security had we that what the emperor was doing in London was sincere, and that what he was doing in Vienna was not all duplicity? He should like to know with

what face of sincerity the emperor could come to the diet with his rescript in favour of peace, and at the same moment open a loan with this country for carrying on the war. The truth was, the diet were unacquainted with his determination to accept our loan when he published this rescript, and by the step which we were about to take, we were to become parties to the delusion; and whatever were the real intentions of the emperor, this was a duplicity of a nature so detestable, that we ought to be ashamed of being parties to it. Mr. Fox concluded with saying, that he wished to discuss this subject on a future occasion, but he thought it his duty to take the sense of the committee upon it, even in the present stage.

The committee divided on the resolution: Yeas 77 : Noes 43.

June 3.

The said resolution being reported to the House,

Mr. Fox said, he wished the House to consider very seriously the step they were now taking, and how totally destitute they were of any defence of their conduct to their constituents. He alluded to a fact, which he had stated when this subject was last discussed. The fact he had stated was not strictly correct; but the difference made considerably in favour of the conclusion he had drawn, as to the fidelity of the emperor, in the fulfilment of his pecuniary engagements. He had said, that certain religious houses in France had lent the emperor large sums of money, to be repaid at the bank of Vienna, and that the emperor had first issued an order that the interest should not be paid to any but to those who could prove their emigration, and afterwards had issued another order that no interest should be paid at all. In consequence of this statement, he had received a letter from a friend, in which he had informed him, "that the religious houses were situated not in France, but in the Austrian Netherlands. The bonds for the money lent belonged to English convents of nuns in the emperor's own dominions; and it was to his own subjects that the emperor had been guilty of a breach of faith." Such was the purport of the letter. The fact, therefore, was, that this was an aggravated circumstance in the conduct of the perfidious emperor, and an additional proof of the solvency, as it was called, of this bankrupt bank of Vienna. With respect to the political principle of the measure, the country was to give money for assistance, which was not stipulated, and which

the country could not enforce. His imperial majesty did not say that he would not make peace, in his convention with this country; whereas in his rescript to the diet of Ratisbon, he had said, that he would make peace. The House, therefore, were called upon to grant the loan, without any decided assurance, that the emperor would continue the war; and with a direct assertion of his readiness to make peace. With respect to the power of the emperor to repay the money, he should be glad to know what arguments could be adduced in proof of his capacity to keep his engagements on that head. It ought to be shewn that the revenues of his imperial majesty were sufficient to repay the money, independantly of the ordinary expenditure of the Imperial dominions. It had been said, that a stipulation had been made, that the payments to this country were to be made before any other payments. Could any person give credit to this; or suppose that his imperial majesty would consent to curtail the necessary expenditure in his own dominions, for the purpose of satisfying the claims of Great Britain? The fact, therefore, was, that a loan was to be granted, without any assurance being made by the emperor, that he would afford effectual aid. He had, it was true, agreed to raise 200,000 men. Where were those men? And how did the country know that they would, if such a number could be raised, co-operate with this country? It appeared, then, that if the emperor did not choose to keep his engagement, Great Britain could not force him; and that if he did keep his engagement, he might still make peace without any inconsistency. By the way, was there any man sure that his co-operation would not cease altogether, as soon as the royal assent should be given to the bill for the loan? Thus, after we had been deceived by Prussia, in an engagement in which we had the power to stop the issuing of our money, and which, upon his failure, we did stop after a great loss, we were again to enter into an engagement which might cost us many millions, in which we had no power to stop. The House was at liberty to decide as it pleased, but if it took upon itself to guarantee this loan, and should afterwards be deceived, he wished it to remember that it could not deny but it had been warned properly.

The House divided on the question that the said resolution be read a second time:

	Tellers.			*Tellers.*	
YEAS	Mr. E. J. Eliot Mr. Sargent	60.	NOES	Mr. Hussey Gen. Tarleton	35.

June 10.

On the motion for the second reading of the bill for guaranteeing the payment of the dividends, on a loan of four millions six hundred pounds to the Emperor of Germany,

Mr. Fox rose for the purpose of moving an amendment. The House, he said, had been told that the French were in great distress, and so he believed they were. The House had also been told that much might be done by standing aloof. His own idea of standing aloof, was to stand aloof at a peace, or at an expence not much above the ordinary peace establishment, and not at an annual expence of thirty millions. France, it had been said, was falling to pieces, and yet she made treaties of peace. Why was, therefore, a treaty with this country to prevent her from continuing to fall to pieces? The present was altogether a new system, of which the ministers were the authors: they had sufficient experience of the conduct of Prussia, and they were now going to try the emperor. He understood that there were to be some new allies; not new allies in point of principle, but in point of performance, and that Russia was to co-operate with this country. He wished to know why the empress was more to be trusted now than the King of Prussia, and how historians were to distinguish between Prussia and the other powers who had participated in the dismemberment of Poland? But did the minister, or did any man, expect cordial co-operation from the Austrians? He had frequently challenged the minister to produce one general officer who would say, that any co-operation could be expected from them. He had had reason to know that there had been times in which the assistance of the Austrians might have been productive of the most important effects, and where the delay of a few hours would have been of material consequence, and yet this delay had been refused, unless it was paid for. It had been said by the minister, that to be sure there were some circumstances in the case which it was difficult to explain, and therefore, very wisely, he had not made any attempt to explain them. Of the Austrians, it would not be deemed too much to say, that they were as much to be trusted as the Prussians, and the Prussians as the Austrians. He concluded by moving, as an amendment to the motion, to leave out the word "now," and at the end of the question to add the words "upon this day two months."

The question being put, That the word "now" stand part of the question, the House divided:

	Tellers.			Tellers.	
YEAS	Mr. Rolle Mr. J. Gordon	55.	NOES	Gen. Tarleton Mr. W. Smith	29.

June 15.

On the order of the day for the third reading of the bill,

Mr. Fox observed, that this measure had always been in his mind a profligate waste of the money of the people of this country; and what had lately confirmed him in that opinion was the surrender of Luxembourg. It became the House now to consider very seriously, whether, after the emperor had lost one of the most important fortresses in Europe, every nerve which he could employ, could, in any material degree, be serviceable to us against the French in the present contest? Whether, after the taking of that fortress on the 7th of this month, a season which, in other times, we had been used to call the middle, but now hardly the beginning of a campaign, there were any rational hope of successful operations on the part of the emperor against the French? But this was not all: there were reports of the cessation of hostilities, which might be proper to be inquired into; and also a report that there was a new alliance between this country, Austria, and Russia. He knew he might be told, that this subject was not now before the House. He hoped, however, if it existed, it would be laid before them immediately, or not until the next session; not like the subsidy to the King of Sardinia, brought forward at the rising of parliament, and hurried through the House. This was, in his mind, a serious and an alarming thing; there were persons who believed that the consequence of such an alliance would be a war between the two imperial powers and Prussia. Whether such an alliance were right or wrong, he would not presume to determine; he should only say, he was sorry to believe that there were some persons, who called themselves politicians, who were so short-sighted as to think such a connection advantageous, at all events, to this country. But, on his own part, he entertained a very different opinion, for he could not help believing, that such a war as this alliance might produce must involve one half of Europe; and he could not help looking with great anxiety at the condition of so large a part of mankind, if the horrors and calamities of war were to be thus extended, and the prospect of peace to be placed at so great a distance. He knew, he said, that these points were

not now immediately before the House; but the reflections were so natural, that he could not help alluding to them, even in this stage of the present bill; for, from the events which we had just heard of, it was impossible for any man who did not deceive himself with sanguine views, to think that Austria could be equal to France in this contest. If this war was to be carried on, we must have some farther support than merely that of the emperor against France; and this must put that peace which was so desirable to all, far off indeed. We were told, every day, of the great distresses of France; and he believed that they existed to a certain degree: but he never could look with pleasure on the prosecution of a war, when the question between the parties was, Who could hold out under severe pressure, and bear great distress the longest? Such a determination was too dreadful even to think of. He had heard, that, respect to our own prospect of distress, the accounts were exaggerated. He wished to hear a statement of facts that would lead him to believe that such was really the case. But he had no grounds for believing that the distress of France from the scarcity and high price of provisions was not likely to be felt also in this country, and that for a considerable time, even although the evil should not in reality be equal to the accounts of it. He could not let pass this opportunity of delivering his sentiments. He wished at all times that we should avoid, as much as possible, the calamities of war, always dreadful, but now much more so, if every part of Europe was likely soon to feel the want of provisions. From these serious and, to him, alarming apprehensions, he found it his duty to oppose this bill in its last stage.

The bill was then read a third time and passed.

RELIEF TO THE MERCHANTS OF GRENADA AND ST. VINCENTS.

June 11.

A PETITION was presented by Lord Sheffield, from the merchants connected with and trading to the islands of Grenada and St. Vincents, setting forth, "That the recent calamities which have befallen the said islands, and the consequences with which they have been, and will be, attended, compel the petitioners to apply to the House for such aid as may, in some degree, alleviate their misfortune: that these calamities have been occasioned by insurrections of the French inhabitants, and free people of colour, in both

the said islands, joined in St. Vincent by the Carribs, and although it is to be hoped, that every quarter hath not suffered in an equal degree, yet every estate must be materially injured by the necessary absence of the managers and overseers, who, in the very season of the crop, assembled as militia for the defence of the sovereignty of the islands; and that the petitioners had reason to expect an importation of produce to a very large amount, which would have enabled them to have fulfilled various engagements, which, from the nature of their concerns in business, they had entered into, and, as a great supply of different articles from this country will be required for re-settling and restoring the estates, the petitioners will be unable, without the aid of the House, either to fulfil such engagements, or furnish such supplies; and that the petitioners compute, that the clear value of the produce from Grenada and St. Vincent has been equal to one million annually, and, as but a small proportion of such produce can now be expected, they already begin to feel the pressure of so serious a defalcation, by the effect which it hath produced upon their credit in the commercial world; and therefore praying the House to take their case into immediate consideration, and to grant such relief as to the House may seem proper." After the petition had been supported by Mr. Pitt,

Mr. Fox said, that among the many and various calamities which this war had already heaped upon us, beyond any thing of which the whole history of the country furnished an example, this was a striking instance. In former wars the West Indies had experienced many disasters. We had lost islands; we had gained them: we had also seen the same chance happen in this war; but to it was particularly reserved the consequence of making necessary such extraordinary expedients as the present. When the bill for the relief of our commercial credit was proposed, he doubted the expediency of it, because, if reliefs of this kind were to be granted whenever they were asked, every one must see what the influence of the minister must be with all persons connected with commercial dealings. The present application proved to him the truth of this observation, for he could not forget how often he had been told in private by persons of considerable importance in public affairs, "We have West India property, and we must support administration." Here was at once an explanation of the cause of the support given by commercial men to the measures of the king's ministers; they apprehended that their own credit might be in danger, and therefore in order to have parliamentary aid in their embarrassment, they sanctioned with their voices what they disapproved in their hearts. If this system was continued to be acted upon, he would venture to say, that we may indeed have the form and name of a free constitution, but the spirit of it would be gone, and there would not remain among us even the vestige

of liberty, for there would not be a man remaining, who had any commercial dealings, who would venture to speak his mind upon public affairs, for fear of disobliging the minister, whose favour he was like to stand in need of. Every war in its nature tended to increase the influence of the ministers of this country; but this in a greater degree than all former wars, for day after day it introduced innovation upon innovation, such as the boldest man, who had any regard for liberty, could not behold, without the most alarming apprehensions: for of all innovations on the principles of liberty, those were the most dangerous which were silent in their effect, and gradual in their progress. Such measures as the present were, in his apprehension, much more dangerous to the constitution of this country, than any abuse of the election of members to serve in parliament, great even as that evil might be. If, in the common course of war, the West India islands should fall into the hands of the enemy, he wished to know in what respect that case could be distinguished in point of principle from the present application; and what ground there was for us to be assured, that even that misfortune might not befal us. The minister had said, there was no blame to be attached to the merchants who made this application. He would dare to say not, except in the circumstance of not having opposed that which brought on their misfortune; and he hinted too, that no blame would attach to ministers if the subject was inquired into; and yet this very inquiry the minister had always refused to grant. He would say again, what he had often said, that there was much to blame: that ministers had been grossly negligent in that quarter, as well as in many other parts of the world; and he trusted that a new House of Commons, or perhaps, even this House of Commons, would be of that way of thinking, for he believed such long to have been the opinion of the public. Such was the opinion in the West Indies; such he verily believed to be the opinion of the very men who signed this petition — an opinion which they would have expressed long ago, had they not foreseen that they might be under the necessity of asking such a boon as this of government. Mr. Fox then desired the House to consider the nature of West India property, and to pause before they proceeded upon this business. Above all, he hoped that the House would recollect its own resolution with regard to the abolition of the slave trade; and he trusted that no measure would be adopted by parliament, to give aid to the purchase of slaves; for that would be in the last degree disgraceful to the House. He saw a crowd of difficulties in this business. He lamented that the lateness of the session made it impos-

sible that it should be discussed in a House properly attended. He was afraid it would succeed in parliament, if countenanced by the minister; but it was his intention to give it his negative.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

October 29.

THE king opened the session with the following speech:

"My Lords, and Gentlemen;

"It is a great satisfaction to me to reflect, that, notwithstanding the many events unfavourable to the common cause, the prospect resulting from the general situation of affairs has, in many important respects, been materially improved in the course of the present year.—In Italy, the threatened invasion of the French has been prevented; and they have been driven back from a considerable part of the line of coast which they had occupied: there is also reason to hope that the recent operations of the Austrian armies have checked the progress which they have made on the side of Germany, and frustrated the offensive projects which they were pursuing in that quarter.—The successes which have attended their military operations in other parts of the campaign, and the advantages which they have derived from the conclusion of separate treaties with some of the powers who were engaged in the war, are far from compensating the evils which they experience from its continuance. The destruction of their commerce, the diminution of their maritime power, and the unparalleled embarrassment and distress of their internal situation, have produced the impression which was naturally to be expected; and a general sense appears to prevail throughout France, that the only relief from the increasing pressure of these difficulties must arise from the restoration of peace, and the establishment of some settled system of government.—The distraction and anarchy which have so long prevailed in that country, have led to a crisis, of which it is as yet impossible to foresee the issue; but which must, in all human probability, produce consequences highly important to the interests of Europe. Should this crisis terminate in any order of things compatible with the tranquillity of other countries, and affording a reasonable expectation of security and permanence in any treaty which might be concluded, the appearance of a disposition to negotiate for general peace on just and suitable terms, will not fail to be met, on my part, with an earnest desire to give it the fullest and speediest effect. But I am persuaded you will agree with me, that nothing is so likely to ensure and accelerate

this desirable end, as to shew that we are prepared for either alternative, and are determined to prosecute the war with the utmost energy and vigour, until we have the means of concluding, in conjunction with our allies, such a peace as the justice of our cause, and the situation of the enemy may entitle us to expect.— With this view I am continuing to make the greatest exertions for maintaining and improving our naval superiority, and for carrying on active and vigorous operations in the West Indies, in order to secure and extend the advantages which we have gained in that quarter, and which are so nearly connected with our commercial resources and maritime strength. — I rely with full confidence on the continuance of your firm and zealous support, on the uniform bravery of my fleets and armies, and on the fortitude, perseverance, and public spirit of all ranks of my people. — The acts of hostility committed by the United Provinces, under the influence and controul of France, have obliged me to treat them as in a state of war with this country. — The fleet which I have employed in the North Seas has received the most cordial and active assistance from the naval force furnished by the Empress of Russia, and has been enabled effectually to check the operations of the enemy in that quarter. — I have concluded engagements of defensive alliance with the two imperial courts: and the ratifications of the treaty of commerce with the United States of America, which I announced to you last year, have now been exchanged. I have directed copies of these treaties to be laid before you.

"Gentlemen of the House of Commons; it is matter of deep concern to me, that the exigencies of the public service will require further additions to the heavy burdens which have been unavoidably imposed on my people. I trust that their pressure will, in some degree, be alleviated by the flourishing state of our commerce and manufactures, and that our expences, though necessarily great in their amount, will, under the actual circumstances of the war, admit of considerable diminution in comparison with those of the present year.

"My Lords, and Gentlemen; I have observed for some time past, with the greatest anxiety, the very high price of grain, and that anxiety is increased by the apprehension that the produce of the wheat harvest in the present year may not have been such as effectually to relieve my people from the difficulties with which they have had to contend. The spirit of order and submission to the laws which, with very few exceptions, has manifested itself under this severe pressure, will, I am sure, be felt by you as an additional incentive to apply yourselves with the utmost diligence to the consideration of such measures as may tend to alleviate the present distress, and to prevent, as far as possible, the renewal of similar embarrassments in future. Nothing has been omitted on my part, that appeared likely to contribute to this end; and you may be assured of my hearty concurrence in whatever regulations the wisdom of parliament may adopt, on a subject so peculiarly interesting to my people, whose welfare will ever be the object nearest my heart."

An Address of Thanks in answer to the speech was proposed by

Lord Dalkeith, and seconded by the honourable Robert Stewart, (afterwards Lord Castlereagh). After it had been supported by Mr. Jenkinson, and opposed by Mr. Sheridan and General Tarleton,

Mr. Fox said, that after hearing his majesty's speech, as read to them by the Speaker from the chair, and after hearing the arguments which had been advanced for the address which had been moved upon the speech, he should not feel that he did his duty to his constituents and his country, if he were to give a silent vote. He had little to add to what his honourable friend (Mr. Sheridan) had said on the surprise which the first insulting paragraph of his majesty's speech must excite in the bosom of every man; and which, in the old times of spirit and energy that distinguished the people of this country, would have drawn upon the ministers who were the authors of it, indignation and punishment. He said, "insulting paragraph," for it was not enough, it seemed, that they should with impunity persist for three years together in the prosecution of a war for miserable speculations — it was not enough to add one hundred millions of debt to the capital, to load the people with five millions per annum of permanent taxes — it was not enough to grind the poor and unhappy people of this country in such a manner as to make almost every man of them feel the misfortune of scarcity and want, but they must also be insulted, by putting into his majesty's mouth, in the very first paragraph of his speech, the impudent falsehood, that their situation was "materially improved!" How was their situation improved? In what circumstances were the affairs of this country bettered since the last year? Were they improved from the recent success of the Austrian army? This success, whatever it might be, and of which he believed ministers had not themselves any very perfect account, was not an improvement in comparison with the last year, but the last week; and surely it could not be called an improvement of our situation, since last year the French were not in possession of a foot of territory beyond the Rhine. That they might now be forced to retreat was possible, and perhaps it was possible, that in comparison with the disasters which were expected from the continuance of their successful career, this retreat might be construed into an improvement; but that it should come from his majesty's ministers, who had prevailed on parliament to guarantee to Austria a loan of four millions and a half, which was to procure positive conquests on the part of Austria, was somewhat curious. They had told parliament that, from the various points of contact between the Austrian dominions and France,

the emperor was capable of seriously wounding her, if assisted by this country; and upon these representations, the House was prevailed upon to become the guarantee of this enormous loan. Now, what was the issue of these representations? Instead of Austria having been able to penetrate into any part of the French dominions, or to wound them in any one point, they were told that it was an improvement of their situation, that the French had recently been forced to retreat from posts of which they were not in possession at the time of the guarantee. Was it an improvement in our situation, that they had extended their dominion beyond the Rhine; that Manheim had fallen into their hands, and that the greater part of the palatinate had also been over-run? It was an insult on the understandings of Englishmen, to say that in this quarter of the war there was an improvement in our situation. The check given to the French in Italy was also introduced as a matter of triumph; that was because the French had not succeeded in all their extent of operations, and because they were not masters of every part of the countries they had invaded, the situation of Great Britain was improved. Or did ministers mean to insinuate, that, in a general comparison of the situation of the two countries, our state was better than last year?

It had been alleged by himself and others, in the course of last session, that there was great reason to apprehend a scarcity of grain in the kingdom, and that it was worthy the consideration of ministers, before they pressed for a continuance of a system that necessarily increased the consumption, to see that the country was plentifully supplied with the necessaries of life. This observation was treated with the most lofty disdain, and in a tone of insolent and haughty indignation, the suggestion was imputed to a factious spirit, which sought to raise an unnecessary alarm in the minds of men; and at a later period of the session, when his honourable and respected friend (Mr. Hussey) urged the same forcible persuasive against war, upon information as to the quantity of grain in the country, which he had obtained with care, he was rebuked for throwing out the suggestion, as being utterly unfounded in fact. But how had the event turned out? That these warnings had been most lamentably verified, it was not necessary for him, he believed, now to state; nor would it be alleged, that in this particular our internal situation was "materially improved." Improved!—Good God, when we were reduced to such a point of misery, that, looking into the situation of the common labourer from one end of the country to the other, it was a melancholy and a heart-breaking fact, that not one man out of ten was able by his labour to earn sufficient

bread for himself and his family! Oh, but it seemed that France was reduced to a situation of "unparalleled distress!" And this was held out to the people of Great Britain as a matter of consolation to them! He would not quarrel about the words "unparalleled distress;" it might be so; but he must animadvert on the strange logic which was used upon the occasion; for the people of this country were to be told, that this unparalleled distress of the French was owing entirely to the war; whereas the distresses of England had nothing on earth to do with it! How such a difference could exist in the operation of the war it was not for him to divine —that in France all their scarcity, all their calamities were to be imputed to it, but that in England the war had no effect whatever on our internal situation. If the people of this country had so thoroughly surrendered their understandings to the eloquence of ministers as to believe this kind of logic, he had no more to say; it was impossible to add any thing that could expose so gross an absurdity.

The depreciation of assignats was the everlasting burden of all their harangues. "France was utterly undone! France was incapable of all exertion! France was completely exhausted in consequence of the depreciation of her assignats!" This had been the incessant story with which the parliament and people of this country had been deluded from the beginning of the war. Last year they were told, that France could not go on, for her assignats were at a discount of eighty per cent. [Some gentleman said in a whisper, that it was not last year, but the year before that this was said.] Last year, or the year before, said Mr. Fox, it is little matter which; it is hardly possible for any memory to state the precise time of these assertions, they have been so incessantly made, so incessantly repeated, so incessantly held forth to the people of this country as grounds of hope, and have so constantly ended in disappointment, that whether it was last year, or the year before, was precisely the same to the argument. When he was told that the assignats were at a discount of eighty per cent. he ceased to think upon the subject: from the moment that they were eighty per cent. discount; it was no longer of consequence to speculate upon them. All theories of mere arithmeticians on the subject were from that instant at an end; when a paper currency was at eighty per cent. discount, it would be said, upon the mere calculations of theory, to be tantamount to extinction. But when they looked to experience and practice, when they referred to the example of America, a reflecting statesman would hesitate before he pronounced upon the subject, and before he presumed to delude his country, by building on such an hypothesis. And, accordingly, as if

the instance of America had not been sufficient to correct the fallacy of mere calculation on such a subject, France had given another lesson on the point — France, that was reduced to such a state of weakness, as, from her deplorable situation, to be held out as an easy prey — France, who, in the month of June last, was said to be gasping in her last agonies, and when, on account of her deplorable situation, it was said to be impolitic for us to give her peace — France has, since the date of her expiring agony, made the most brilliant campaign, he would venture to say, that the history of mankind almost exhibited, in which her arms had every where been triumphant, and where, by the mere force of conquest, she had reduced almost every one of our allies to sue for peace, and secure their safety by negociation. Such was the issue of their calculations upon her distress! He was afraid, he said, of such agonies; and surely no man of common sense, after such a result, would again calculate upon success from the depreciation of their paper.

But it was not their paper only which was adduced as a proof of their distress; they were utterly destitute of provisions, it seemed; and as an argument for continuing the war, the House were told, that the French government had been obliged to unload the ships at Brest in order to supply Paris with bread. This was said to have been their condition. Be it so. What must be their feeling of the cause in which they had engaged, that under such a pressure of scarcity, could rouze them to such exertions? Those who had last year held out this argument of their distress as a ground of hope, and who put into his majesty's speech the memorable expression, "that the internal situation of the enemy should make us indulge a hope that they were hastening to such a state of order and regular government, as might be capable of maintaining the accustomed relations of peace and amity with other powers," would now explain upon what better grounds they held out the less precise and less intelligible hope of the present speech. They then said, that the distresses were likely to produce a return of a state of order and regular government, so as to enable us to treat with them with confidence and security. What do they say now? It was most material to attend to the words which they had put in his majesty's mouth. "The distraction and anarchy which have so long prevailed in that country have led to a crisis." When I heard these words, said Mr. Fox, I took it for granted that we were to be told the exact nature of the crisis, and the good which our ministers were about to extract from it. But mark the words: "have led to a crisis of which it is, as yet, impossible to foresee the issue." Here is a piece of information

for the parliament and people of Great Britain! It goes on, however: "but which must in all human probability produce"—Ay, now we come, I hope, to the desirable point —produce peace, I hope—no such thing!—"produce consequences highly important to the interests of Europe!" Good God! Mr. Speaker, is this a proof of the improvement of our situation since last year? Does this hold out to the impoverished, oppressed, and starving people of England a nearer prospect of the termination of this unfortunate war? Last year their distress was likely to produce such an order of things as would give us a secure peace; and now, all that we are to look for from the distraction and anarchy that reign in France, are consequences that may be "important to the interests of Europe!" What period of the eventful history of this wonderful revolution has not been productive of consequences materially important to Europe? Of what change that has taken place might not the same thing be said? When the revolution, as it is called, of the 31st of May took place, might it not have been said, that a crisis was approached that might have produced consequences important to the interests of Europe? When Robespierre's tyranny was extinguished, might not the same thing have been said? Upon the insurrections that have happened from time to time, and particularly on the late insurrection, in short, on every great event that has arisen in France, the same equivocal words might have been used by his majesty's ministers.

What, then, were the people of England to understand from these words now? What prospect did they hold forth that his majesty's ministers were to seize on the first favourable moment in which they might negociate beneficially for peace? If they were to argue from their past conduct, they surely could draw no favourable conclusion, nor any rational ground of hope from these unintelligible words. In December 1792, Mr. Fox said, he had made a motion *, to which he certainly could not, without a degree of egotism, recur, because he could not recur to it without pride and satisfaction to himself. He asked, whether a negociation might not have been entered upon at that moment with a greater probability of securing a beneficial peace to England than now? He had sometime in every session since that period, renewed, in one way or another, the same motion; and he desired to know, whether our perverse continuance in the proud denial of its being the proper moment to negociate, had bettered our condition, or opened to us the prospect of a more honourable

* See vol. iv. p. 473.

termination of the war? On the contrary, had we not from year to year entangled ourselves deeper, and rendered the practicability of peace upon safe and honourable terms more hopeless? But, there was one point of view in which our present situation had been viewed by an honourable gentleman, very much connected with ministers, and who, he hoped, spoke on the present occasion authoritatively. The honourable gentleman (Mr. Jenkinson) had said, that he was now willing to admit, that all prospect of restoring the emigrants to their estates, and the Bourbon family to the throne of France was hopeless; that it was a matter of prudence to calculate the value of an object, together with the chance of procuring it, and not to pursue any object, however desirable, beyond the rational hope of obtaining it. If the disasters of the war had produced this conviction in the minds of his majesty's ministers, he, who thought that wisdom was the first of human acquisitions, and that prudence in the governors of a state was not merely a most valuable but a most necessary virtue, would be willing to allow that our situation was improved. It was improved, because our ministers were brought at length to a conviction of their error; because they had returned to their senses. But, good God, what a series of calamity and disaster had been required to produce this restoration of their reason! What a state of degradation must that House and the country be come to, that it should be held out as a matter of exultation, and as a proof of our situation being improved, that ministers had been at length corrected, not by the indignation and energy of the people, but by the consequences of their own imbecility and guilt! What a contrast did this exhibit between the present and the ancient state of England, when the power of control which belonged to the vigorous understanding and the manly spirit of Englishmen was extinct, and the people were supinely content to wait until obstinate fury should, by its natural course, correct itself! Oh, miserable England, to what a state are you fallen, when such is the wretched consolation in which you indulge!

The expedition to Quiberon, Mr. Fox said, was one of the grand sources by which this conviction was produced in ministers. He knew not by whom that expedition was planned; he knew not in whose desperate bosom the idea of the horrid expedition was engendered, but it was a scene over which the heart of every manly Briton shed tears of blood; and which had done more mischief to the British character, had sunk it lower in the eyes of observant Europe, and would stain it more in the estimation of posterity, than all the rest of the operations of this war, frantic, base, and inhuman as many of its projects had been. Good God! to think that so many brave and

honourable men, among whom there were gentlemen of the purest feelings and of the most honourable principles, should be led to massacre in the way in which they were! That one of the most gallant among them * should be denied the slender consolation which he requested in his expiring moments of having his letter made public, was such an act of savage barbarity as would leave an eternal stain upon England, if parliament and the people did not testify their indignation by fixing a strong mark of censure upon its authors. Yet even this lesson — even the dreadful issue of this abominable scheme — did not produce the effect upon the minds of his majesty's ministers which might have been expected; another expedition was framed, in which the emigrants were to be employed in a descent upon the coast of France. The second expedition was concerted, perhaps, with somewhat less indiscretion, and somewhat less barbarity, than the first; but it seemed to have its origin in the same principles, and to owe its birth to the same parent. It was owing only to its utter failure that it had not been equally disastrous; for, if the expedition to L'Isle Dieu had been carried into effect in the same manner as the first, the unfortunate persons must have been equally abandoned. And yet, though not attended with the same fatal effects as the first, the expedition had been attended with misfortune. Our fleet had been exposed to great risque on a dangerous coast; and even now we must either land the stores upon L'Isle Dieu, for the maintenance of the unhappy persons still there, or abandon them to the certain, though lingering death of famine, or to the more merciful doom of the guillotine.

It was impossible to animadvert upon the conduct of ministers in these expeditions without being astonished at the insanity with which they were planned. It must now be a matter of secret congratulation to themselves that every one of their projects had failed; their success would have made it impossible for them to have maintained the argument which they had held that day. What did they do? They sent an officer to summon Belle Isle in the name of Louis XVIII. the rightful king of France, and thus they made their officer declare a falsehood, a direct falsehood, as great a falsehood as if he were traitor enough to declare that Cardinal York was the rightful king of Great Britain. But what must have been the consequence if, upon this summons, Belle Isle or Noirmoutier had yielded? We must have landed and taken possession of them in the name of Louis XVIII., and the unfor-

* The Count de Sombreuil.

tunate prince, just landed in the place under our auspices, would have been identified with our cause, and we should have been pledged to the restoration of this legal monarch in his rights. Could we then have had the blessing which was this day held up, of abandoning a course, which could no longer be pursued with rational hopes? We should then have been reduced to the melancholy alternative of abandoning the prince and his followers with infamy, or of prosecuting his cause under the most desperate circumstances. Fortunately for ministers, however, their project had failed, and they were thus relieved by the want of success from the folly of their act. It was by this sort of reasoning alone that he could resolve the strange paradox of the seconder of the motion, who had said, that the very failure of the war had produced good consequences. If it were applied to our expeditions to the coast of France, it perhaps might hold true, as the consequence was a conviction in the breasts of ministers, that it was impracticable to pursue the restoration of Louis any more.

Mr. Fox said, that it was with pain that he took up the time of the House, with any observations upon this kind of reasoning. He was confident that the natural plain sense and understandings of Englishmen, who had always been distinguished for their love of direct and plain dealing, would soon be disgusted, and reject with indignation and nausea a cause that required such refinement of reasoning to support it. An honourable gentleman had said, that the opinions of the French were certainly specious in themselves, and calculated to intoxicate the minds of the lower ranks of men; but that, in their own nature, they would, sooner or later, generate such a tyranny as that which Robespierre exhibited, which again, in its own nature, would correct the impression which the specious opinions had originally made. The war, then, with all its disasters had been so far useful, that it had accelerated the conviction which Robespierre's tyranny would of itself have more slowly produced. The war was a sort of yeast that fermented this tyranny: and thus, in this idle train of reasoning, was the House presented with another theory in excuse of the war. If men were to play with such theories as matter of amusement, he should certainly not contend about them. He should then be extremely willing to leave them as a very good theme for school-boys, as the honourable seconder of the motion had said; but it was a dreadful thing when such theories were taken up by statesmen, and gravely acted upon as legitimate causes for plunging their country into the horrors of war. Such theories might suit well for a literary or a political disputant, and might be made very

amusing either in a club-room or in a pamphlet; but for a man to undertake the office of a statesman, and to bring such theories into practice, was such an outrage not merely upon common sense, but upon moral duty, as must shock the heart of every considerate, and of every feeling mind. What a picture of human wantonness did it not exhibit, that in order to ascertain the question, whether a certain set of opinions might be brought so much more speedily into disrepute, it was a good and right thing that a hundred millions of money should be squandered, and hundreds of thousands of our fellow-creatures be put to death! In his mind, a war against opinions was in no one instance, and could not be, either just or pardonable. A war of self-defence against acts he could understand, he could explain, and he could justify; but no war against opinions could be supported by reason or by justice: it was drawing the sword of the inquisition. How could we blame all those abominable acts of bloodshed and torture, which had been committed from time to time under the specious name of religion, when we ourselves had the presumption to wage a similar war? Who would say, that all the blood that had been spilt from the fury of religious enthusiasm, might not have been made to flow from the pure but misguided motive of correcting opinions, when we ourselves thus dared to dip our hands in the blood of our fellow-creatures, on the mere pretext of correcting the errors of opinion? We must change all the doctrines that we had been taught to cherish about religious persecution and intolerance; we must begin to venerate the authors of the holy inquisition, and consider them as pious and pure men, who committed their murders for the beneficent purpose of correcting the heresies which they considered as so abominable, and restoring the blessings of what they conceived to be the only true system of christianity. In the same manner, the present war against opinions was to be entitled to our esteem, and its authors to be venerated for their morality. In this war they also were great conquerors; they had lost towns, cities, nay kingdoms, they had squandered a hundred millions of money, they had lost a hundred thousand men, they had lost their allies, they had lost the cause of the emigrants, they had lost the throne to the family of the Bourbons, — but they had gained a set of rather better opinions to France!

Mr. Fox contended, that at every moment from the commencement of the war to the present instant, our ministers might have negociated with the French upon better terms than they could at this time; and that our relative situation had been gradually growing worse. The famous decree of the 19th of November, 1792, was the first great pretext for

ing to war. That decree, he had always said, we might have got rid of by negociation. But, if that decree was an obstacle to negociation, it was well known that the disgusting tyrant Robespierre himself not only formally repealed it, but made it the pretext for murdering Brissot and about one hundred persons more, whom he called its authors. Why not negociate after that decree was repealed? Oh! they were afraid of the fascination of French principles on the minds of the people of this country. But, surely, they could not say that these principles continued to be fascinating and tempting after the reign of Robespierre. If ever they had any attraction for the popular mind, they surely must have lost it, and become, on the contrary, the detestation and horror of every human being, as exhibited under the implacable tyranny of that despicable miscreant. Did they make overtures of peace when these principles had lost their temptation? What! it would be said, would you have treated with Robespierre? Why not with Robespierre? Do we not daily treat with tyrants? He would have treated with Robespierre; not because he did not think his government the most disgusting tyranny that ever existed, but because England had nothing to do with his tyranny. On the 27th of July, Robespierre was cut off, and his principles were declared to be infamous. Why did not ministers then make overtures of peace? There was nothing in their former conduct that could give that House or the nation confidence in their intentions of making peace whenever the favourable opportunity should arrive. On the contrary, they stood convicted of fraud; for when an honourable friend of his (Mr. Grey) made a motion on the 26th of January last, which it was not found convenient directly to oppose, an amendment was moved, declaring that they were ready to enter into a negociation, whenever there should be a government established in France, capable of maintaining the customary relations of amity and peace. Did they offer negociation when it was proved by experience that France had such a government? It had been proved that France did maintain such relations of peace and amity, for Prussia had made peace with her, Spain had made peace with her, many of the states of Germany had made peace with her, and among others, the Elector of Hanover had made peace. The honourable seconder of the motion had said, that any one who made an argument on the conduct of the Elector of Hanover, and reasoned on it as an example for England, would deserve to be treated as a school-boy. He must submit to incur the imputation; for he confessed, with deference to the honourable gentleman, that it was worthy to be discussed. He was ready to own that there might be situations in which the conduct of

the Elector of Hanover in a negociation might not be a model for England; but what was the case here? The right honourable gentleman opposite, in speaking of the state of France, said, that if a peace was concluded with her, in her then condition, he should at least have to exclaim,

Potuit quæ plurima virtus
Esse, fuit; toto certatum est corpore regni.

Her situation had not changed when the Hanoverian minister thought it his duty to negociate with them for peace. Would the right honourable gentleman say on the occasion,

Potuit quæ plurima virtus
Esse, fuit; toto certatum est corpore regni?

He did not believe that he would venture to make any such assertion.

They had heard that night much panegyric on the new constitution of France. They might almost have supposed themselves sitting in the Convention, and to have heard Louvet, or some other author of the new constitution, delivering a panegyric on it. All our hopes were now to be fixed upon this new constitution. He confessed, for one, he was not willing to place much dependence upon a constitution, of which he knew nothing, and which had not been tried; but this was the new theory of the day; this constitution was to be capable of maintaining the accustomed relations of peace and amity. Mark the conclusion of this argument, that the proper time for treating together for peace, was to be put off until we had experience of this new constitution. What was to be the term of probation he knew not; one thing only was certain, that on this new pretext, the war was to be continued. What if this constitution, like all their former constitutions, should fail? Why, then our hopes of peace must fail too, and we must begin again. What a miserable series of subterfuge and expedient was all this! But, say they, would you make peace with a country that changes its constitution so often? To which, said Mr. Fox, I answer yes, I would; if they changed their constitution every week, nay every day, if they had seven constitutions a week, I would treat with them. What have I to do with their changes of constitution? Experience has shewn that neither the changes of men, nor the changes of constitution, have had any effect on the engagements which they have formed with foreign countries. I will not speak of the recent treaties they have entered into; but let us look how all the successive parties have acted towards Sweden in the neutrality which she established. The

party of Brissot, the party of the Mountain which succeeded the party of the Girondists, the individual tyranny of Robespierre, into which the Mountain subsided, the party which overthrew Robespierre, and all the shades and changes of government which have happened since, have with uniform fidelity observed the treaty with Sweden, and maintained the relations of peace and amity which subsisted between them. In like manner, some changes have happened since the treaty with Prussia, and it has nevertheless been regularly maintained. It is idle to talk of the theory of a constitution being a ground of dependence for the observance of a treaty. If a rational treaty is made, and it is the interest of the parties to keep it, that is the only true and wise dependance which you can have for the continuance of peace.

It had been said, continued Mr. Fox, that much had been done to meliorate and soften down the opinions of France. He asked, whether a recognition of their independence and an offer to treat, would not do more to bring the people of that country to an amicable disposition to treat than all our failures had hitherto done? But it was urged, that the offer to treat, ought first to come from France. He said, that the offer ought to come from us, because we had made resolutions, and had been guilty of the indiscretion of coming to declarations that stood in the way of negociation. These must be done away in order to bring us to an even footing. It was said, would you leave them the Low Countries and Holland? That House was not the place, nor was the present the time, to talk of terms. There was no doubt one important fact, and ministers might go to a negociation with a confidence of that fact, namely, that if France on account of her successes, exacted high terms, such as were inconsistent with the honour and interests of this country, they would be supported in the dire, but then necessary, alternative of continuing the war. The terms at the same time in every negociation must depend on the relative situation of the parties. But he would not admit of that eternal evasion that the time was improper. One year we were too high to treat, another year we were too low; and thus the continuance of the war was prolonged, without any calculation being made whether the expence of continuing it for one year, was not more than the difference of terms we might expect between a good and a bad relative situation. In his mind, every time was the proper time for treating; and it would not be denied but that we had suffered more favourable periods to escape than we were likely again to possess. When we were masters of Valenciennes and Condé, and France was beset on every side, with insurrections raging in her bowels, that was the favourable time to treat. But no, we

were then too high. What! treat when she almost lay expiring at our feet? We suffered that moment to pass. Last year, again, we had great success in the West Indies; Guadaloupe and St. Lucia were ours, in addition to Martinique, and France was obviously desirous of peace. No, then again we were too high, and we were asked in a lofty strain, in the month of June last, What, shall we treat with her when she lies in her last agony? Nothing, they said, could save her, and it was our interest to withhold from her the peace of which she was desirous. The event has proved that the prediction was not well founded; and here we are, after three years war, reduced to a state in which we are said to be too low to treat, with nothing left us but the hopes that some day or another a favourable opportunity will arise for negociation. In the mean time we have only one of all our allies left to us, and that ally must, by the principle on which she has acted for the last year, be hired to continue her alliance.

All our hopes were to be founded on our conquests in the West Indies. Let us look with an impartial eye at the state of our West Indies. Was there any thing very consoling in that quarter of the world? He dreaded to encounter the examination. The French commerce, it was said, was utterly annihilated; and the French navy, too, was reduced. We had certainly had many brilliant naval achievements, which did immortal honour to the British flag; but, at the same time, it would not be said that our own trade was entirely protected. Insurance to Jamaica had risen from four to eight per cent.; and he did not think that even our internal situation was improved. His majesty's speech had held out a melancholy picture with respect to the quantity of grain in the kingdom, and the subject was recommended to their most serious consideration. Whenever it came before them, he should give it certainly the most careful and the most impartial examination. It was not his opinion that it was greatly within the province of human legislation to do much on such a topic; but what could be done in the way of regulation, he trusted they should with one voice steadily and expeditiously pursue. Nothing, he believed, would do so much towards preventing the evil of a scarcity, as to give to the people the restoration of peace, which would be likely to bring with it its usual companion, plenty. It was an insult on common sense to say that war and military expeditions did not, in their very nature, aggravate scarcity, by increasing consumption. Putting the whole country into the military state which England was at this time at home, necessarily increased the consumption of grain; and if this was the case, how much more did the argument hold good with respect to expeditions to

distant parts? The quantity of increased consumption, without taking into the account the quantities damaged and lost, was immense, and he would be bold to say, that if government, instead of interfering with regular merchants, and putting an end to all the active competition of men more expert in trade than themselves, had followed the example of the government of France, with respect to the ships at Brest, and had unloaded the transports that were sent to Quiberon Bay, they would have done more towards alleviating the late scarcity, than by all the corn which their agents imported.

He could not leave that miserable expedition to Quiberon Bay, without again expressing his indignation at it. The House would do him the justice to recollect how much beyond his usual pertinacity he had urged them to avoid the indiscretion and cruelty of employing the emigrants on any such expedition. He had said, that they could not be employed so as to stand on the same terms with our own troops; that their condition would be desperate in regard to France; that therefore it was neither politic with respect to ourselves, nor kind and considerate with regard to them; that if we employed them on any such expedition, we identified their cause with ours, and made it impossible for us to retract with honour, whatever might be the events of the war. What was the answer to this reasoning? That, in fact, their cause and ours was the same, and that the crown of George III. was not safe upon his head if they were not reinstated in their country. Thus the die was cast; they were thus invited to join the fatal standard; they embarked in our cause, which they were thus told was the same as their own, and they were sent on that fatal expedition which every feeling heart must deplore. Though he could not entertain the idea which some coarse and vulgar minds had taken up, that certain ministers in the cabinet, reflecting on the indiscretion they had committed in thus charging themselves with so many of these emigrants, had sent them on this forlorn enterprise as a happy riddance, yet he must repeat, that if the justice and indignation of the country did not fix a censure upon the authors of that expedition, the disgrace of it would eternally rest upon the character of the nation. When he first moved for entering into a negociation with France, it was said, What! would you negociate with men about to stain their hands with the blood of their sovereign? Yet now, if the present speech from the throne meant to say any thing honestly, it meant, that with these very men ministers would have no objection to negociate at a certain crisis. The nature of this murder, then, was such as to be washed away after a two or three years purification. And even with Tallien, who, among others, dipped his hands in

royal blood, they would have no objection to treat; though whatever was the conduct of that person on other occasions, the boldness with which he came forward to destroy the tyranny of Robespierre did him great honour. It had always been his opinion, that if we could not get men of pure morals, and men of personal esteem to treat with, we must take the men we could find; taking care that our treaty should be founded on such principles of moderation and justice, as should not be likely to vary with times or parties, and which it should be the interest of both countries to maintain. Instead of this, we had acted upon a set of unprincipled delicacies, by which this country had been reduced to such a state of distress, as for the last six months to make almost every common man dependant upon charity for subsistence. Was not such a state more likely to undermine the loyalty and obedience they were desirous to cherish than all the fascination of French principles? Was it not likely, that under such a pressure, undisciplined minds might be led to cherish the idea, that that government could not be perfectly sound nor practically happy, which inflicted on so large a proportion of its people so much misery? It must be a matter of great consolation to hear from his majesty's speech, that instead of any such refractory sentiment, a very general spirit of order and submission to the laws had been manifested by his people; and their pleasure ought to be increased when they recollected the dreadful and dark conspiracies which raged in the country a twelvemonth ago. These conspiracies had been quashed in a most extraordinary way; they had been quashed by the full, clear, and honourable acquittal of all the conspirators: and now this "order and submission to the laws" was a matter of exultation to his majesty, when the habeas corpus suspension act was in full force!

Another most extraordinary argument had been adduced for the war by an honourable gentleman opposite to him (Mr. Jenkinson); the war, he said, was quite necessary, in order to enable men of rank to inveigh with becoming spirit against French principles, and the diabolical doctrines of jacobinism. He was very ready to allow, that the philippics against French principles, in which gentlemen in that House and elsewhere so liberally indulged themselves, did require some means to give them currency: but that they wanted a war to give them force, that nothing less than an army of 200,000 men, and a navy of 110,000 men, could make these philippics go down, he did not know till now. He remembered it was an accusation against Roland, that in order to corrupt the public mind, by propagating his opinions, he had squandered much of the public money. Roland, in his defence, said, he had certainly not squandered much of the public money; he had

only spent 30,000 livres Tournois, and that in assignats, in printing; whereas it had cost our ministers one hundred millions sterling to circulate and support their harangues against the French! A more extraordinary means of publishing their invectives could not have been thought of. One would have thought, that having their civil list, their patronage, their places, their pensions, and their newspapers, by which to spread and give currency to their abuse against the French, it was strange that they should hit upon a war as the only means to recommend their invectives to the taste of the country. If he could not entirely agree with the honourable gentleman as to the war being begun only in aid of the intemperate language and violent epithets which were thrown out upon the French, yet nothing was so certain, as that the inflamed passions which gave rise to that language, gave rise also to the war; and that the good sense and manly feelings which would have avoided the one, would also have directed us to the rational course which would have prevented the other. The honourable gentleman spoke of the rights of man, among the reprobated French principles. That all men had equal rights, he would not stop to argue; it was a truth which the honourable gentleman himself must feel. It was not the fallacy of the principles that had made the French Revolution disgusting, but its atrocities; it was the misapplication and misuse that had produced so much turpitude and ruin. Of those principles he was ready to defend the greater part; the abuse of principles had, indeed, caused the mischief in France; but the principles themselves remained still pure and unalterable. Mr. Fox concluded with saying, that for these reasons he could not consent to vote for the address which had been moved; he held in his hand an amendment, expressing in short terms the fact he had enumerated, and drawing from them the practical use that ought to be made of them. He then read the amendment, as follows:

"We beg leave humbly to entreat your majesty to review the events of the three last years, and to compare the situation and circumstances of the belligerent powers at the period when hostilities commenced, and at the present moment; to consider that a great majority of the numerous allies, on whose co-operation your majesty chiefly relied for success, have abandoned the common cause, and sought for security in peace, while others have been unfortunately thrown into alliance with the enemy: that our foreign possessions in the West Indies have, in many instances, been overrun, pillaged, and destroyed, and the security of all of them put in imminent hazard: that the expeditions to the coast of France have proved either disgraceful or abortive; tending, without any rational prospect of public benefit, to tarnish the British name, by a shameful sacrifice of those to whom your majesty's ministers had

held out the hope of public protection: that amidst all these adverse and disgraceful events, there has been an expenditure of blood and treasure unparalleled in the history of former wars. Such being the result of the measures which have been pursued, we cannot honestly discharge our duty to your majesty, the country, and ourselves, without fervently imploring your majesty to reflect upon the evident impracticability of attaining, in the present contest, what have hitherto been considered as the objects of it.

"We therefore humbly entreat your majesty no longer to act upon the opinion, that the governing powers of France are incapable of maintaining the accustomed relations of peace and amity. An opinion formerly proved to be unfounded by the situation of the States of America, and of those nations of Europe who have throughout maintained a safe and dignified neutrality; and recently by the conduct and present condition of Prussia and Spain, and the princes of the empire. But that your majesty will be graciously pleased to take decided and immediate measures for bringing about a peace with France, whatever may be the present or future form of her internal government, and look for indemnity where alone indemnity is to be found; in the restoration of industry, plenty, and tranquillity at home.

"While we thus earnestly implore your majesty to consider, in your royal wisdom, how fruitless the pursuit of the war is become, and how idle and imaginary the supposed obstacle to peace, we declare, that if the existing powers in France were to reject a pacific negociation proposed by your majesty upon suitable terms, and to persevere in hostilities for their own aggrandisement, or with a view to the establishment of their system of government in other countries, we would strenuously support a vigorous prosecution of the war, confident that the spirit of the nation, when roused in such a cause, will still be able to accomplish what is just and necessary, however exhausted and weakened by the ill-concerted projects of those who have directed your majesty's councils."

After Mr. Pitt had replied to Mr. Fox, the House divided on Mr. Fox's amendment:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey Mr. Whitbread	59.	NOES	Mr. Jenkinson Mr. J. Smyth	240.

It was consequently negatived. On the motion, that the original address be agreed to,

Mr. Fox took an opportunity of justifying his former expressions respecting the French revolution, and which, in the course of the debate, had been imputed to him as applicable to a reform in the constitution of this country. He said, that he had asserted, at the time of the French revolution, that the subversion of the monarchy in the Bourbon family of France, was an event favourable to the liberty of Europe, and that the fall of that family would be looked on by posterity with admiration, because with it fell the reign of despotism.

But at no one time had he given an unqualified opinion of the governments which succeeded that event; much less would he stand pledged to give the least countenance to the scenes of blood and cruelty which had been the almost inseparable attendants on the varied and successive governments that followed one another. He formed his opinion of government by the test of practice, and not by theory and on paper. He disclaimed experiments and innovations, and he did not know on what principle innovation could be imputed to him. He had, it was true, supported the projects of a right honourable gentleman (Mr. Pitt) as to a reform in parliament, because he believed those projects to be good; and if the insinuations went to this point, he readily acknowledged them to be just. On no other account could such insinuations be justified; and if they went to any other object of his opinions or practice, he did not comprehend them. He loved the constitution of this country, because in practice he found it to be good, and this, with him, was the only criterion of a good government.

HIGH PRICE OF CORN.

November 3.

MR. PITT having this day moved, "That a select committee be appointed to take into consideration the present high price of corn,"

Mr. Fox said, that he did not mean to make any objection to the mode of proceeding that had been proposed by the right honourable the chancellor of the exchequer. He thought it the most proper that could be adopted, under all the circumstances of the case. He rose only to make some general observations on the points that had been stated by the right honourable gentleman; and first, as to the proposition respecting the assize of bread. The means of information which the right honourable gentleman had, and the authority from which he spoke on that subject, were such as no doubt proved that some regulation was proper; but he himself did not conceive that such regulation would be attended with great effect; nor did he wish the idea to be entertained that much benefit could be derived from its operation. He did not understand that the price of bread, considered in comparison with the price of grain, was higher than it ought to be. On the contrary, he had always understood that the

bakers were very far from gaining by the present prices. He wished, therefore, the impression to be held out, that whatever might be the consequences of this proposed regulation, it ought not to be looked to as likely to produce any very great or immediate benefit to the country.

When the right honourable gentleman talked of diminishing the consumption of wheat, by introducing other ingredients into the composition of bread, he ought to have in view, that whatever bread was made for the use of the poor, ought to be not only wholesome and palatable, but above all, nutritive. Let me remind gentlemen, said Mr. Fox, that when they are talking of bread for the people, they ought not to judge from any experiment made with respect to themselves. I have myself tasted bread of different sorts, I have found it highly pleasant, and I have no doubt, it is exceedingly wholesome. But, it ought to be recollected how very small a part the article of bread forms of the provisions consumed by the more opulent class of the community. To the poor it constitutes the chief, if not the sole article of subsistence. If, therefore, the bread for their use be made of ingredients less nutritive, it is a matter of question how far this mixture may tend to diminish the real consumption, since a greater quantity will be necessary for their support.

But there is another point, as to the nature of the scarcity, which deserves attention. There are two sorts of scarcity, the one arising from a defective produce, and the other from an increased consumption; and it is extremely interesting to ascertain which of these has the most influence in producing the present scarcity. If this scarcity, and the consequent high price, were confined merely to the article of bread, it would then appear, with sufficient certainty, that it originated with the cause which had so much been insisted on, namely, the defective produce of the two last harvests. But, is bread the only article eminently dear? Has not the same advance of price taken place with respect to meat; and likewise with respect to the produce of dairy farms, on which the season cannot be supposed to have had any unfavourable influence? The price of butter is very nearly, on the average, as high as that of wheat; instead of nine-pence or ten-pence, as formerly, it is now sold at thirteen-pence per pound. But what affords the most striking proof, that the high price does not arise merely from the deficiency of the harvest, is, that with respect to barley, the produce of which is admitted, this season, to have been plentiful beyond example, a similar advance of price has taken place.

It is not, therefore, to one cause that we are to look as the sole source of the present evil. It proceeds from a variety

of causes, complicated in their nature, and extensive in their operations. I do not, continued Mr. Fox, ascribe this scarcity solely to the war, pernicious as it has been in its effects. I admit, even, that part of the causes to which it may be traced, may be connected with a certain state of prosperity of the country. The war certainly has had a most decided effect, so far as it has tended to increase the consumption, to diminish the production, and to preclude the possibility of obtaining supplies, which might have been drawn from other quarters. But if there are other circumstances which have operated along with those arising from the war, if the evil has proceeded from many and complicated causes, nothing can be more mischievous than to ascribe it solely to one cause, and to proceed as if that were the fact. It is against this error that I most particularly wish to warn the committee in the course of their iriquiries. If, from a mistaken view of the subject, they should be led to apply a remedy merely to a single cause, instead of producing that good which is the object of the discussion, they may thereby only give additional weight and force to the other causes, which have been instrumental in bringing about the evil.

There are some other particulars, on which the right honourable gentleman touched, to which I shall shortly advert. He admitted, that the declaration of an intention to continue the prohibition on the distilleries, beyond the period now fixed by the act, might have some effect in lowering the price of provisions; but seemed to have some hesitation, whether it would be expedient or necessary, to adopt such a measure. Undoubtedly, if the measure is not intended to be adopted, no declaration ought to be made. But the objection of the right honourable gentleman seemed to be, that the continuance of the prohibition would have the effect of lessening the revenue. I certainly should consider, whatever was so lost to the revenue, as well gained to the country, in point of the industry and morals of its inhabitants. Besides, if this prohibition should occasion an increased importation of foreign spirits, the revenue would gain from the additional duty on these, with less danger to that class of the community, whose labours and whose virtues form the strength and security of the state. To protect their industry, and to guard their morals, is the first duty of a statesman, and the best interest of a nation. Narrow-sighted, indeed, and pernicious would be the policy of the minister, who sought to draw the sources of his revenue from their dissipation and intemperance, from the relaxation of their habits, and the debasement of their character. I therefore can see no reason why

the prohibition on the distilleries ought not to be continued, and, thinking as I do on the subject, the policy is obvious, of announcing that intention as speedily as possible.

An honourable gentleman (Mr. Lechmere) threw out some ideas with respect to the state of agriculture. I do not question the accuracy of his information; much of what he said I highly approve. But though I admit the facts which he has stated, as well as the exigence of the crisis, I cannot agree with him as to the propriety of resorting to any system of coercion by way of remedy. I doubt whether such a remedy could be effectual; I fear it might increase the evil. Scope must always be left to the exertions of industry: attempt to fetter, and you always destroy them. The proprietor must be allowed to let his land, the farmer to conduct his business, and to bring his grain to market, in the way which they find most convenient for their own interest. I must confess, that in the course of investigating the subject, I have found some of my own friends, to whose authority I pay great deference, who thought that the state of the country required coercive measures to be adopted. I, however, have not been able to coincide with them in this opinion. And, first, I would remark, that the state of a country which calls for such measures, must be one nearly approaching to that of a famine. Even then, their effect could only be temporary, and extorted by the exigence of the moment: they might last perhaps for a week or a fortnight, or perhaps a month, but then they must necessarily cease. But I object to them, not merely because they are inefficient, but because they are in themselves wrong, inconsistent with that just and liberal protection which ought to be afforded to industry, and with that wise and sound policy which best secures the interests of the public, by keeping up a spirit of competition in the market.

I have said thus much, not for the purpose of marking any disagreement of opinion with the right honourable gentleman, but in order to shew the spirit with which I wish to enter into the cause, and the necessity I feel of putting our shoulders to the task imposed upon us, of attending to the alarming call of the present crisis, and devising the best measures to afford the most speedy relief to this national calamity. Above all, I wish again to call the attention of the House to what I before urged — that it is not to any single cause that we are to look for the source of an evil so gradual in its progress, so extensive in its operation, which has now been growing up for a considerable length of time, and has at last arrived at such a height, as no longer to brook any delay in the discussion. The gradual progress of this evil has given rise to

a variety of speculations. There are some who think that the price of labour has not kept pace with the increased rate of provisions. I am afraid that this disproportion too much takes place in almost all the counties of England, and that while provisions have been rapidly rising to an enormous and unexampled height, labour has by no means advanced in proportion. It is, indeed, a melancholy and alarming fact, that the great majority of the people of England — an enormous and dreadful majority — are no longer in a situation in which they can boast that they live by the produce of their labour; and that it does regularly happen, during the pressure of every inclement season, that the industrious poor are obliged to depend for subsistence on the supplies afforded by the charity of the rich; a charity, I have no doubt, actuated by a proper spirit of generosity, but of which, in times like the present, even prudence may render the exercise adviseable. I agree in opinion with those, who, from this view of the subject, think that the price of labour ought to be advanced, and the great majority of the people of England, freed from a precarious and degrading dependence. But I much question whether any compulsory measures ought to be adopted for this purpose. Disapproving, as I do, in every instance, of coercion, excepting where it is called for by the last necessity, and justified by the occasion which gives it birth, I wish this necessary and salutary measure, of advancing the wages, to proceed, rather from the justice and humanity of the gentlemen in the different counties, than from the obligation of a legislative act. I recommend all those who have influence from their situation in the country, to countenance it by their example. At the same time I greatly fear that no alteration can take place in the present circumstances so material as completely to do away the evil. The disproportion is so immense, that I fear it will be found impossible either to raise the price of labour to the rate of provisions, or to lower the rate of provisions, so as to meet the price of labour. In this point of view, I deeply regret the continuance of those hardships, which are already but too sensibly felt by the lower classes of the community. At the same time, I anticipate the most beneficial consequences from the investigation about to be instituted in the committee. I trust that the information collected by them from different quarters will be found applicable to much practical utility, and productive of the most seasonable relief. I have purposely avoided introducing politics into the present discussion, whatever opinions I may have as to the influence which political events, or the conduct of ministers may have had in producing the evil we deplore,

from my anxiety to confine my remarks to that one object, which so forcibly presses upon our attention. There is no one point on which I materially differ from the right honourable gentleman, except as to the continuance of the prohibition on the distilleries, a measure to which I see no one solid objection; and which, in every point of view, I regard as highly adviseable. I have only again to repeat my admonition to the committee, that they will not suffer themselves to be misled as to the object of their inquiries, by an attempt to trace to any single cause, an evil so complicated and extensive; that they will divest themselves of previous opinions, and petty partialities, that they will go into the investigation, impressed with the magnitude of the objects, disposed to sift it to the bottom and to collect information from every quarter, and disposed to provide a remedy, not from the suggestions of a paltry expediency, or a temporary policy, but from a broad, enlarged, and comprehensive view of the principles connected with the discussion.

November 18.

The House having again resolved itself into a committee on the high price of corn, Mr. Pitt proposed certain resolutions for granting a bounty on the importation of corn.

Mr. Fox agreed with the right honourable the chancellor of the exchequer on some parts of this subject, but he owned, that on the other hand, the question became important, as to the probable effect the bounty would have with regard to importation of corn from America; he did not see why the bounty should be higher for the importation from the Mediterranean than from America. Let gentlemen recollect, that there were important points connected with this — Whether the supply ought to be trusted entirely to individual merchants, or whether any thing should be done by government in that respect was an important thing. In his opinion, it was proper to trust to merchants; but he must also observe, that it would have been better if government had left this subject last year, as it was proposed to be done now. He did not state this as a matter of reproach to ministers for what they did; he would dare to say they did what appeared to them to be the best for the public; nevertheless, he thought there was a reasonable probability that this bounty would produce a considerable degree of assistance to this country with respect to corn, and, therefore, he felt disposed to adopt the opinion

of the committee, and the resolutions proposed by the right honourable gentleman, which were founded upon that opinion. At the same time he must confess, that when he adopted that opinion, he felt he did it with a considerable degree of hazard. He wished some mode might be thought of, in order to make an experiment, by which we might judge of the probable effect of this measure. He should be very glad to be informed, whether if this bounty was to last for a short period it would have the effect proposed to a considerable, or to any extent; The exertions of individual merchants might not be so effectual now as they might have been on former occasions. He also wished to know whether this measure might not be adopted to a more limited extent; and if that should be found defective, government ought to take up the subject; that if one measure failed, the other might be tried. He thought it would have been very fortunate indeed for this country, if there had been such a committee as this last year. He repeated it, that he did not blame government for the part they had taken upon the subject. The question had some delicacy and some danger in it, and therefore if the step the ministers took last year happened to be a bad one, he did not think it fair to blame them for it. But here he must observe, that if, upon all occasions, as he believed the case to be, the functions of the House of Commons were better adapted for promoting the public good than those of the Board of Trade, he wished to see them oftener exerted. He meant to say nothing disrespectful of that board, which was appointed by his majesty. Nor did he mean to say any thing against those who composed it. But he could not help wishing that the functions of the House of Commons were oftener exerted upon these occasions. He must further observe, that if that had been the case last year, the public might have derived the advantages long ago which we now have in expectation; and perhaps more than we could hope for at the present; because the exertions of individual merchants would have been more important to the public then, than they can be at this period; and we could not conceal from ourselves, that there was not a certainty of merchants speculating on the importation of corn to a sufficient amount. He thought there should be a conversation in the House upon the subject, for it did not seem to him that there was a well-founded hope that the supply of corn from abroad would amount to thirteen thousand quarters within the time specified. As to what part of this scarcity was owing to the war, he owned that was a great cause, although there were also other causes. The war

tended to create this high price of corn by enhancing the value of every article of life, not with us only, but also over almost every other part of the globe with which we had any trade or connection. If this was true upon confined points, it was true also on the larger scale, and must affect, generally, the price of all commodities.

THE END OF THE FIFTH VOLUME.

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